

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Darrin L. Malone**

**Appeal Number 2017AP000680 - CR**

**Court of Appeals District 2**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	04-10-2019		Remittitur
Comment: NRI sent by UPS				
OCCD	SC	02-26-2019		Motion for Miscellaneous Relief
Filed By: John Blimling Submit Date: 2-26-2019 Decision: (G) Grant Decision Date: 2-27-2019 ORD that the motion is granted. The State of Wisconsin's response to the petition for review must be filed on or before March 13, 2019.				
OCCD	SC	02-14-2019		Attorney Change
Comment: AAG Blimling for State per notice of appearance.				
OCCD	SC	02-12-2019		Court Order
ORD that the plaintiff-respondent, State of Wisconsin, is directed to file a response to the petition for review on or before February 26, 2019. See PRE event filed on 10-26-2018				
OCCD	SC	11-05-2018		Letter/Correspondence
Comment: Filed by AAG Kowski advising State will not file formal response to PRE unless requested by the court.				
OCCD	CA	10-31-2018		Cites
921 N.W.2d 518				
OCCD	CA	10-31-2018		Cites
384 Wis. 2d 413				
OCCD	CA	10-31-2018		Opinion Ordered Unpublished
OCCD	SC	10-26-2018		Fee Waived

Comment: SPD

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OCCD SC 10-26-2018 Petition for Review

Filed By: Brian Borkowicz  
Submit Date: 11-5-2018  
Decision: (D) Deny  
Decision Date: 4-9-2019  
ORD that the petition for review is denied, without costs.  
Motion Response  
Filed By: John Blimling  
Submit Date: 3-11-2019  
This motion contains court order(s).  
Comment: Per 2/12/19 CTO, respondent's response filed 3/11/19

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OCCD CA 10-11-2018 Attorney address updated

Comment: Address changed for attorney: 39877 Brian Borkowicz

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OCCD CA 09-26-2018 [Opinion/Decision](#)

Judge Panel: Gundrum, Hagedorn, Reilly  
Opinion: Opinion  
Decision: Affirmed Pages: 31  
Written by: Gundrum, Mark D.  
Reilly, Paul F. Wrote Dissenting Opinion 5 pages.  
Order Text: Judgment and order affirmed

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OCCD CA 02-12-2018 Non-Electronic Record Item

Comment: Exhibits #1-#27: From Jury Trial

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OCCD CA 01-30-2018 Submitted on Briefs

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OCCD CA 01-10-2018 Non-Electronic Record Item

Comment: Exhibit 10: video surveillance/DVD

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OCCD CA 11-16-2017 Briefs Received At State Law Library

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OCCD CA 10-31-2017 Record and Briefs Sent to District 2

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OCCD CA 10-30-2017 Certificate of Filing by Mail

Comment: BRY-10/27/17

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OCCD CA 10-30-2017 [Reply Brief](#)  
[Reply Brief](#)

Filed By: Brian Borkowicz

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OCCD CA 10-09-2017 [Brief of Respondent\(s\)](#)  
[Brief of Respondent](#)

Filed By: Jeffrey Kassel

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OCCD CA 09-18-2017 Motion to Extend Time  
Filed By: Jeffrey Kassel  
Submit Date: 9-18-2017  
Decision: (G) Grant  
Decision Date: 9-19-2017  
ORD that the time for the respondent to file its respondent's brief is extended to October 10, 2017. See Wis. Stat. Rule 809.82(2)(a).  
See BRS event due on 10-10-2017

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OCCD CA 08-16-2017 Motion to Extend Time  
Filed By: Jeffrey Kassel  
Submit Date: 8-16-2017  
Decision: (G) Grant  
Decision Date: 8-17-2017  
ORD that the time for the respondent to file its respondent's brief is extended to 9/20/17. See Wis. Stat. Rule 809.82(2)(a).  
See BRS event due on 9-20-2017

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OCCD CA 07-28-2017 Attorney Change  
Comment: AAG Jeffrey J. Kassell for State per letter of appearance. Criminal Appeals Unit removed.

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OCCD CA 07-21-2017 Supplement to Record  
Comment: 100-1

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OCCD CA 07-20-2017 Brief & Appx of Appellant(s)  
[Brief of Appellant](#)  
Filed By: Brian Borkowicz  
Comment: Appendix to Brief of Appellant(s)

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OCCD CA 07-17-2017 Motion to Extend Time  
Filed By: Brian Borkowicz  
Submit Date: 7-17-2017  
Decision: (G) Grant  
Decision Date: 7-19-2017  
ORD that the time for the appellant to file an appellant's brief is extended to 7-26-2017. See Wis. Stat. Rule 809.82(2)(a).  
See BAP event due on 7-26-2017

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OCCD CA 06-26-2017 Motion to Extend Time  
Filed By: Brian Borkowicz  
Submit Date: 6-27-2017  
Decision: (G) Grant  
Decision Date: 6-29-2017  
ORD that the time for the appellant to file his appellant's brief is extended to 7/17/17. See Wis. Stat. Rule 809.82(2)(a).  
See BAP event due on 7-17-2017

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WSCCA Case History

OCCD CA	05-18-2017	Sealed Documents
Comment: Sealed #s 2-6, 9-14, 26, 45		
OCCD CA	05-18-2017	Record
Comment: ELECTRONICALLY FILED; 1-11 to 99-49		
OCCD CA	04-21-2017	Statement on Transcript
Filed By: Brian Borkowicz Status: Prev. Filed		
OCCD CA	04-18-2017	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	04-18-2017	Fee Waived
Comment: SPD Appointed		
OCCD CA	04-18-2017	X Transfer
OCCD CA	04-17-2017	Notice of Appeal & Court Record
OCCD CA	04-13-2017	Received SPD Appointment Order
OCCD CA	04-11-2017	Notice of Appeal filed in Cir. Ct.
OCCD CA	03-29-2017	Order of Circuit Court
OCCD CA	03-16-2017	MXT to Decide Postconviction Motion
Filed By: Brian Borkowicz Submit Date: 3-16-2017 Decision: (G) Grant Decision Date: 3-20-2017 ORD that the time for deciding the defendant's postconviction motion is extended to 5-23-2017. See Wis. Stat. Rule 809.82(2)(a).		
OCCD CA	12-22-2016	MXT to file NAP/PCM
Filed By: Brian Borkowicz Submit Date: 12-22-2016 Decision: (G) Grant Decision Date: 12-27-2016 ORD that the time for filing a notice of appeal or postconviction motion is extended to 1/24/17. See Wis. Stat. Rule 809.82(2)(a).		
OCCD CA	04-22-2016	Judgment of Circuit Court