

Wisconsin Supreme Court and Court of Appeals Case Access

State v. M.D.M.

Appeal Number 2017AP000138

CONFIDENTIAL

CONSOLIDATED - [List of Consolidated Cases](#)

Court of Appeals District 1

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	10-20-2021		Remittitur
OCCD	CA	08-19-2021		Final Publication
OCCD	CA	07-28-2021		Cites
		398 Wis. 2d 718		
OCCD	CA	07-28-2021		Cites
		963 N.W.2d 98		
OCCD	CA	07-28-2021		Opinion Ordered Published
OCCD	CA	07-28-2021		Public Domain Citation
		Comment: PDC No: 2021 WI App 42		
OCCD	SC	07-12-2021		Letter/Correspondence
		Comment: State advises it opposes petition for review, will not file formal response unless ordered by court		
		Letter- State advises it opposes petition for review, will not file formal response unless ordered by court		
OCCD	SC	06-25-2021		Certificate of Filing by Mail
		Comment: Petition for review Certificate of Filing by Mail		
OCCD	SC	06-25-2021		Fee Waived
		Comment: SPD		
OCCD	SC	06-25-2021		Petition for Review
		Filed By: Christopher August		
		Submit Date: 7-14-2021		
		Decision: (D) Deny		

Decision Date: 10-18-2021
ORD that the petition for review is denied, without costs.

OCCD CA 06-08-2021 [Opinion/Decision](#)
Judge Panel: Dugan, Brash, Donald
Opinion: Opinion
Decision: Reversed and remanded Pages: 11
Written by: Dugan, Timothy G.
Order Text: Orders reversed and cause remanded for further proceedings
Comment: 6/8/21 Opinion/Decision Appendix - Petition for Review

OCCD CA 04-16-2021 Received SPD Appointment Order
Comment: Christopher August

OCCD CA 03-18-2021 Letter/Correspondence
Comment: SPD Frago requests case be entered for electronic filing.

OCCD CA 11-19-2020 Submitted on Briefs

OCCD CA 10-23-2020 Briefs Received At State Law Library

OCCD CA 10-22-2020 Attorney address updated
Comment: Address changed for attorney: 42750 John Blimling

OCCD CA 10-09-2020 Briefs Sent to District

OCCD CA 10-08-2020 Other Brief
Filed By: John Blimling
Comment: Supplemental Brief of Petitioner-Appellant per 8/6/20 Court Order Supplemental Brief of Petitioner-Appellant Ack. Notice and cover letter Supplemental Brief of Petitioner-Appellant Supplemental Brief of Petitioner-Appellant

OCCD CA 08-21-2020 Notice of Appearance
Comment: filed by AAG John A. Blimling appearing for the State Notice of Appearance

OCCD CA 08-17-2020 Motion to Extend Time
Filed By: Winn Collins
Submit Date: 8-17-2020
Decision: (G) Grant
Decision Date: 8-19-2020
IT IS ORDERED that the Petitioner-Appellants brief may be filed on or before October 8, 2020.
Motion Response
Filed By: John Blimling
See BOT event filed on 10-8-2020
Comment: Motion to Extend Time to file BOT Court Order - 8-19-2020

OCCD CA	08-17-2020	Response
	Comment: Per 8/6/20 CTO - State to advise if brief will be filed Certificate of Mailing: Response	
OCCD CA	08-06-2020	Court Order for 3-Judge Panel
	Comment: Court Order for 3-Judge Panel	
OCCD CA	08-06-2020	Court Order
	IT IS ORDERED that this case will be decided by a three-judge panel. IT IS FURTHER ORDERED that on or before August 16, 2020, the attorney general shall notify this court whether it will submit a brief. If a brief will be submitted, the attorney general shall do so within thirty days from the date of this order. Comment: Court Order	
OCCD CA	07-27-2020	Briefs Received At State Law Library
OCCD CA	07-06-2020	Submitted on Briefs
OCCD CA	07-02-2020	Attorney address updated
	Comment: Address changed for attorney: 42296 Elizabeth A. Longo	
OCCD CA	07-01-2020	Record and Briefs Sent to District 1
OCCD CA	06-29-2020	Certificate of Filing by Mail
	Comment: RE: Reply Brief, Mailed 6-26-2020, COS Certificate of Filing by Mail - BRY Certificate of Filing by Mail Submission on Briefs	
OCCD CA	06-29-2020	Reply Brief
	Filed By: Anna Gage Comment: Cover ltr. filing BRY Ack. filing brief - BRY Filing Notice: Reply Brief Cover Letter: Reply Brief	
OCCD CA	06-12-2020	Motion to Extend Time
	Filed By: Anna Gage Submit Date: 6-12-2020 Decision: (G) Grant Decision Date: 6-16-2020 ORD that the deadline for filing the reply brief is extended to June 26, 2020. See Wis. Stat. Rule 809.82(2)(a) (2017-18). See BRY event due on 6-26-2020 Comment: Motion to Extend Time to File Reply Brief Motion to Extend Time Court Order 06/16/20	
OCCD CA	05-28-2020	Certificate of Filing by Mail
	Comment: BRS (May 26, 2020) Certificate of Filing by Mail	
OCCD CA	05-28-2020	Brief of Respondent(s)
	Filed By: Jorge Fragoso	

Comment: Cover Letter: Brief of Respondent(s) Filing Notice: Brief of Respondent(s)

OCCD CA 03-20-2020 Motion to Extend Time
Filed By: Jorge Fragoso
Submit Date: 3-20-2020
Decision: (G) Grant
Decision Date: 4-9-2020
ORD that the time for the respondent to file his brief is extended to May 26, 2020. See Wis. Stat. Rule 809.82(2)(a).
See BRS event due on 5-26-2020
Comment: Motion to Extend Time Court Order 04/09/20

OCCD CA 03-09-2020 Motion to Extend Time
Filed By: Jorge Fragoso
Submit Date: 3-9-2020
Decision: (G) Grant
Decision Date: 3-11-2020
ORD that the deadline for M.D.M. to file the respondent's brief is extended to March 23, 2020.
See BRS event due on 3-23-2020
Comment: Court Order - 03/11/20 Motion to Extend Time Motion to Extend Time Court Order 03/11/20

OCCD CA 02-06-2020 Rejected Electronic Document
Comment: The electronic versions of the Brief of Appellant - are rejected because the appendix is included. Pursuant to Rule 809.19(13)(c) an electronic appendix shall be filed as a separate document and include the appendix certification and the certificate of compliance under this rule. Please reload a corrected version of your brief and appendix. (The appendix is optional). CONSOLIDATED CASES ONLY NEED TO BE FILED ONCE UNDER THE LOWEST NUMBER.

OCCD CA 02-06-2020 Rejected Electronic Document
Comment: The electronic versions of the Brief of Appellant - are rejected because the appendix is included. Pursuant to Rule 809.19(13)(c) an electronic appendix shall be filed as a separate document and include the appendix certification and the certificate of compliance under this rule. Please reload a corrected version of your brief and appendix. (The appendix is optional). CONSOLIDATED CASES ONLY NEED TO BE FILED ONCE UNDER THE LOWEST NUMBER.

OCCD CA 02-06-2020 Certificate of Filing by Mail
Comment: RE: BAP; received 10 copies, mailed 02/04/2020. Cert. of Filing by Mail Certificate of Filing by Mail

OCCD CA 02-06-2020 Brief & Appx of Appellant(s)
Filed By: Anna Gage
Comment: Brief of Appellant - Filing Acknowledgement Brief of Appellant - Cover Letter Appendix to Brief of Appellant(s) Filing Notice: Brief & Appx of Appellant

OCCD CA 12-26-2019 Sealed Documents
Comment: #18, #20

OCCD CA 12-26-2019

Record

Comment: 1-4 to 58-1 ELECTRONICALLY FILESD Record - Filing Notices Filing Notice: Record

OCCD CA 10-18-2019

Statement on Transcript

Filed By: Anna Gage

Status: Prev. Filed

Comment: 10/15/19: CRS: CR Justman files/serves transcripts 10/10/19; 10/18/19; CR Worden files serves 8/18/15 transcript; CR Sigl files/srvs. 2/5/15 transcript 9/12/19; CR Novak files/srvs. 9/23/14 transcript 9/6/19; CR Bertermann files/srvs 8/22/14 transcript 9/28/19; CR Burghardt files/srvs 11/4/15 transcript 10/19/19; CR Carpenter files/srvs 7/8/14 transcript 10/8/19; CR De La Rosa files/srvs. 7/20/14, 5/4/15 transcripts 10/22/19; CR Justman files/srvs 6/23/15, 9/1/16, 1/13/17 transcripts 10/20/19; CR Kandziora files/srvs 12/13/16 transcript 10/20/19; CR Deschsner files/srvs 8/3/16 transcript 10/21/19 Statements on Transcripts Statements on Transcripts

OCCD CA 10-15-2019

Other Papers

Comment: Notice of Reporter Filing Transcript Court Reporter Statement with Cover Letter Notice of Reporter Regarding Filing of Transcript

OCCD CA 10-04-2019

Motion to Extend Time

Filed By: Anna Gage

Submit Date: 10-7-2019

Decision: (G) Grant

Decision Date: 10-8-2019

IT IS ORDERED that the State shall file the statements on transcript in these matters by October 25, 2019. IT IS FURTHER ORDERED that the deadline for the circuit court to transmit the record in these matters is extended to December 26, 2019.

See SRT event due on 10-25-2019

Comment: 4 Court Order - 10/08/19 Motion to Extend Time Motion to Extend Time Court Order 10/08/19

OCCD CA 09-27-2019

Motion to Extend Time

Filed By: John Barrett

Submit Date: 9-30-2019

Decision: (G) Grant

Decision Date: 10-8-2019

IT IS ORDERED that the State shall file the statements on transcript in these matters by October 25, 2019. IT IS FURTHER ORDERED that the deadline for the circuit court to transmit the record in these matters is extended to December 26, 2019.

See REC event due on 12-26-2019

Comment: Motion to Extend Time Motion to Extend Time

OCCD CA 09-20-2019

Motion for Miscellaneous Relief

Filed By: Anna Gage

Submit Date: 9-20-2019

Decision: (G) Grant

Decision Date: 9-24-2019

ORD that the deadline for the State to file the statements on transcript in these matters is extended to October 4, 2019.

Comment: ext. time for court report to respond to statement on transcript Court Order - 09/24/19 Motion for Miscellaneous Relief Motion for Miscellaneous Relief Court Order 09/24/19

OCCD CA 08-29-2019

Attorney Change

Comment: withdrew Atty. Mochel, added SPD Fragoso as counsel for the RES-RES Attorney Change filed by Atty Bridgman

OCCD CA 08-29-2019 Received SPD Appointment Order
Comment: for SPD Jorge Fragoso Received SPD Appointment Order Statement on Transcript

OCCD CA 08-26-2019 Consolidated Case
Comment: [2017AP000138, 2017AP000139]

OCCD CA 08-26-2019 Attorney Change
Comment: GAL Bridgman advises he has retired no longer appears as GAL in case

OCCD CA 08-22-2019 Motion to Extend Time
Filed By: Elizabeth Longo
Submit Date: 8-22-2019
Decision: (G) Grant
Decision Date: 8-26-2019
ORD that the deadline for filing a statement on transcript in these matters is extended to September 20, 2019.
FRO that appeal Nos. 2017AP138 and 2017AP139 are consolidated for briefing and disposition purposes.
See SRT event due on 9-20-2019
Comment: 2 Court Order - 08/26/19 Motion to Extend Time

OCCD CA 08-22-2019 Motion to Consolidate
Filed By: Elizabeth Longo
Submit Date: 8-22-2019
Decision: (G) Grant
Decision Date: 8-26-2019
ORD that the deadline for filing a statement on transcript in these matters is extended to September 20, 2019.
FRO that appeal Nos. 2017AP138 and 2017AP139 are consolidated for briefing and disposition purposes.
Comment: [2017AP000138, 2017AP000139] 2 Motion to Consolidate with Cover Letter Court Order 08/26/19

OCCD CA 08-12-2019 Attorney Change
Comment: ADA Karen Loebel no longer appears as attorney for Plaintiff-respondent Attorney Change filed by Atty Loebel

OCCD CA 08-09-2019 Docketing Statement from Appellant
Comment: Docketing Statement and Jurisdiction Basis for Appeal Docketing Statement - 17AP138

OCCD CA 08-09-2019 Motion to Extend Time
Filed By: Elizabeth Longo
Submit Date: 8-12-2019
Decision: (G) Grant
Decision Date: 8-13-2019
ORD that the deadline for the State to file the statement on transcript in this matter is extended to

August 23, 2019.
See SRT event due on 8-23-2019
Comment: Court Order - 08/13/19 Motion to Extend Time

OCCD CA 08-06-2019 Other Papers
Comment: ret. mail; GAL copy of 7/26/19 CTO; 8/7/19 remailed to updated address Returned Mail

OCCD CA 08-05-2019 Notif. Sent-Filing of LVO & Court Record
Comment: Notif. Sent-Filing of LVO & Court Record

OCCD CA 08-05-2019 Notif. Sent-Filing of NAP & Ct. Record
Comment: Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 08-05-2019 Copy of CTO Grtg. PLV-from Cir. Ct.
Comment: Copy of CTO Grtg. PLV-from Cir. Ct. Copy of CTO Grtg. PLV-from Cir. Ct. Copy of CTO Grtg. PLV-from Cir. Ct. (138)

OCCD CA 08-01-2019 Copy of CTO Grtg. PLV Filed in Cir. Ct.

OCCD CA 07-26-2019 Caption Amended
Comment: Caption Amended

OCCD CA 07-01-2019 Motion for Miscellaneous Relief
Filed By: Elizabeth Longo
Submit Date: 7-1-2019
Decision: (G) Grant
Decision Date: 7-26-2019
IT IS ORDERED that the petition for leave to appeal is granted. Entry of this order has the effect of the filing of a notice of appeal. See WIS. STAT. RULE 809.50(3) (2017-18). A copy of this order has been forwarded to the clerk of the circuit court. Pursuant to WIS. STAT. RULE 809.11(2), the clerk shall return this order and the docket entries maintained pursuant to WIS. STAT. 59.40 within three days of receipt of this order.
Comment: Motion to terminate abeyance Motion for Miscellaneous Relief Court Order 07/26/19 Court Order

OCCD CA 03-07-2019 Hold Status

OCCD CA 11-13-2018 Attorney Change
Comment: ADA Stoiber advises by letter ADA Longo will handle case, he no longer appears for State Attorney Change

OCCD CA 08-24-2018 Court Order
ORD that the petition for leave to appeal is held in abeyance pending the supreme court's decision in State v A.L., appeal No. 16AP880.
See PLV event filed on 1-25-2017
Comment: Court Order 08/24/18

OCCD CA	02-10-2017	Motion for Stay
<p>Filed By: Robert Mochel Submit Date: 2-10-2017 Decision: (O) Other Decision Date: 7-14-2017 ORD that the petition for leave to appeal is held in abeyance pending our decision in State v. A.L., appeal No. 16AP880. Motion Response Filed By: John Stoiber Submit Date: 2-14-2017 Comment: hold PLV in abeyance Motion for Stay, with cover letter Response Court Order 07/14/17</p>		
OCCD CA	01-25-2017	Fee Waived
<p>Comment: state filed plv</p>		
OCCD CA	01-25-2017	Petition for Leave to Appeal
<p>Filed By: John Stoiber Submit Date: 2-3-2017 Decision: (G) Grant Decision Date: 7-26-2019 ORD that the petition for leave to appeal is granted. Entry of this order has the effect of the filing of a notice of appeal. See Wis. Stat. Rule 809.50(3) (2017-18). A copy of this order has been forwarded to the clerk of the circuit court. Pursuant to Wis. Stat. Rule 809.11(2), the clerk shall return this order and the docket entries maintained pursuant to Wis. Stat. 59.40 within 3 days of receipt of this order. Motion Response Filed By: Robert Mochel Submit Date: 2-3-2017 This motion contains court order(s). Comment: Court Order - 07/26/19 Response - 02/03/17 with Cover Letter Petition for Leave to Appeal Petition for Leave to Appeal - Filing Acknowledgement Petition for Leave to Appeal - Affidavit of Mailing, Cover Letter, and Note Cover Letter and note Certificate of Mailing</p>		
OCCD CA	01-13-2017	Non-Final Order of Circuit Court