

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Gary F. Lemberger

Appeal Number 2015AP001452 - CR

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	05-23-2017		Remittitur
OCCD	SC	04-20-2017		Cites
		374 Wis. 2d 617		
OCCD	SC	04-20-2017		Cites
		893 N.W.2d 232		
OCCD	SC	04-20-2017		Opinion/Decision
		Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly Opinion: Opinion Decision: Affirmed Pages: 20 Written by: Ziegler, Annette K. Abrahamson, Shirley S. Wrote Concurring Opinion 4 pages. Bradley, Ann Walsh Joined Concurring Opinion Kelly, Daniel Joined Concurring Opinion Kelly, Daniel Wrote Concurring Opinion 1 pages. Order Text: The decision of the court of appeals is affirmed.		
OCCD	SC	04-18-2017		Public Domain Citation
		Comment: PDC No: 2017 WI 39		
OCCD	SC	02-17-2017		Oral Argument
		Comment: 2nd case, 9:45 a.m.; Atty Robert J. Eddington for Def-App-Pet, Atty Michael C. Sanders for Pla-Res		
OCCD	SC	02-10-2017		Additional Authorities
		Comment: filed by State; also advises of a misstatement in BRS		
OCCD	SC	01-26-2017		Briefs Received At State Law Library
OCCD	SC	01-25-2017		Reply Brief-Supreme Court Reply Brief-Supreme Court

Filed By: Robert Eddington

OCCD SC 01-12-2017 Letter/Correspondence
Comment: To all counsel re: oral argument scheduled for 2/17/17 @ 9:45 a.m. (Feb. calendar enclosed)

OCCD SC 01-11-2017 Assigned-Oral Argument

OCCD SC 01-11-2017 Response Brief-Supreme Court
[Response Brief-Supreme Court](#)

Filed By: Michael Sanders

OCCD SC 12-20-2016 Motion to Extend Time

Filed By: Michael Sanders

Submit Date: 12-21-2016

Decision: (G) Grant

Decision Date: 12-21-2016

ORD that the motion is granted. Plaintiff-respondent's response brief shall be served and filed on or before 1/11/17.

See BR2 event due on 1-11-2017

OCCD SC 12-08-2016 Attorney Change

Comment: Attorney Shaun O'Connell removed from service list; no longer works with DA's office

OCCD SC 12-02-2016 Response

Comment: 10 coipes CA briefs for SC use received

OCCD SC 12-02-2016 First Brief-Supreme Court
[First Brief-Supreme Court](#)

Filed By: Robert Eddington

Comment: Appx to First Brief-Supreme Court

OCCD SC 11-09-2016 Attorney address updated

Comment: Address changed for attorney: 43075 Shaun O'Connell

OCCD SC 10-24-2016 Attorney Change

Comment: AAG Michael C. Sanders for State per letter notice of appearance

OCCD SC 10-20-2016 Received SPD Appointment Order

Comment: Robert J. Eddington

OCCD SC 10-17-2016 Motion for Miscellaneous Relief

Filed By: Joseph Ehmann

Submit Date: 10-18-2016

Decision: (G) Grant

Decision Date: 10-18-2016

ORD that the motion to appoint Attorney Robert J. Eddington as counsel for

defendant-appellant-petitioner is granted;

FRO that the motion to enlarge the time for filing defendant-appellant-petitioner's opening brief is granted.

FRO that within 45 days after the date of this order the defendant-appellant-petitioner must file a brief in this court; that within 20 days of filing the plaintiff-respondent, State of Wisconsin, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the plaintiff-respondent, within 10 days of filing the defendant-appellant-petitioner must file either a reply brief or a statement that no reply brief will be filed.

Comment: Motion for leave to appoint a substitute attorney and to enlarge the time for filing the appellant's brief

OCCD SC	10-11-2016	Caption Amended
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OCCD SC	10-11-2016	Court Changed to Supreme Court
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OCCD CA	05-25-2016	Cites
	369 Wis. 2d 224	

OCCD CA	05-25-2016	Cites
	880 N.W.2d 183	

OCCD CA	05-25-2016	Opinion Ordered Unpublished
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OCCD SC	05-16-2016	Fee Waived
	Comment: SPD appointed	

OCCD SC	05-16-2016	Petition for Review
	Filed By: Marcel Oliveira	
	Submit Date: 6-1-2016	
	Decision: (G) Grant	
	Decision Date: 10-11-2016	
	ORD petition for review granted. Briefs/statements 30/20/10.	
	Kelly, J., did not participate in this order.	
	Motion Response	
	Filed By: Gregory Weber	
	Submit Date: 6-1-2016	

OCCD CA	05-05-2016	Motion for Reconsideration
	Filed By: Marcel Oliveira	
	Submit Date: 5-5-2016	
	Decision: (D) Deny	
	Decision Date: 5-6-2016	
	ORD that the motion for reconsideration is denied as untimely.	
	Comment: LATE	

OCCD CA	04-21-2016	Briefs Received At State Law Library
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OCCD CA	04-14-2016	Opinion/Decision
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Judge Panel: Blanchard
Opinion: Opinion
Decision: Affirmed Pages: 6
Order Text: Judgment and order affirmed.

OCCD CA	04-04-2016	Submitted on Briefs
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OCCD CA	04-01-2016	Record and Briefs Sent to District 4
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OCCD CA	03-03-2016	Brief of Respondent(s) Brief of Respondent
Filed By: 43075 (O'Connell, Shaun)		

OCCD CA	01-29-2016	Motion to Extend Time
Filed By: 43075 (O'Connell, Shaun)		
Submit Date: 2-1-2016		
Decision: (G) Grant		
Decision Date: 2-3-2016		
ORD that the time for the respondent to file its brief is extended to March 3, 2016. See Wis. Stat. Rule 809.82(2)(a).		
See BRS event due on 3-3-2016		

OCCD CA	12-29-2015	Motion to Extend Time
Filed By: 43075 (O'Connell, Shaun)		
Submit Date: 12-30-2015		
Decision: (G) Grant		
Decision Date: 1-4-2016		
ORD that the time for the respondent to file its brief is extended to February 1, 2016. See Wis. Stat. Rule 809.82(2)(a).		
See BRS event due on 2-1-2016		

OCCD CA	12-14-2015	Attorney address updated
Comment: Address changed for attorney: 42064 Marcel Oliveira		

OCCD CA	11-30-2015	Brief & Appx of Appellant(s) Brief of Appellant(s) - E-File Cert Brief of Appellant
Filed By: Marcel Oliveira		
Comment: separate appendix: Please note that the e-file certification pursuant to Rule 809.19(12)(f) has been added to this brief. Please include this certification in all briefs. Please note an appendix has been added to all briefs. See Rule 809.19(2) regarding requirements. Please be advised briefs and appendices must comply with Rule 809.19(8)(4) regarding being properly bound.		

OCCD CA	11-19-2015	Motion to Extend Time
Filed By: Marcel Oliveira		
Submit Date: 11-19-2015		
Decision: (G) Grant		
Decision Date: 11-20-2015		

ORD that the time for the appellant to file his appellant's brief is extended to November 20, 2015. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 11-20-2015

OCCD CA 11-10-2015 Delinquent

Comment: New due date of connected BAP: 11-17-2015

OCCD CA 09-24-2015 Motion to Extend Time

Filed By: Marcel Oliveira

Submit Date: 9-24-2015

Decision: (G) Grant

Decision Date: 9-25-2015

ORD that the time for the appellant to file his appellant's brief is extended to October 26, 2015. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 10-26-2015

OCCD CA 08-17-2015 Record

Comment: 1-1 tp 62-204

OCCD CA 08-10-2015 Other Papers

Comment: Notice from Ct Rptr Howell that ct rptr served Atty. Bowland with 10/6/14 adjourned trial transcript; placed in file.

OCCD CA 07-28-2015 Statement on Transcript

Filed By: Marcel Oliveira

Status: Prev. Filed

Comment: 8/17/15 -- Ct Rptr Gerlach filed and served transcripts

OCCD CA 07-20-2015 Fee Waived

Comment: SPD Appointed

OCCD CA 07-20-2015 Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 07-20-2015 X Transfer

OCCD CA 07-16-2015 Notice of Appeal filed in Cir. Ct.

OCCD CA 07-16-2015 Received SPD Appointment Order

OCCD CA 07-16-2015 Notice of Appeal & Court Record

OCCD CA 06-26-2015 Order of Circuit Court

OCCD CA 05-21-2015 MXT to file NAP/PCM

Filed By: Marcel Oliveira

WSCCA Case History

Submit Date: 5-21-2015

Decision: (G) Grant

Decision Date: 5-27-2015

ORD that the time to file a postconviction motion or notice of appeal is extended to June 5, 2015.

OCCD CA 03-20-2015 Received SPD Appointment Order
Comment: delete Atty. Hinkel; add Atty. Oliveira

OCCD CA 03-18-2015 MXT to file NAP/PCM
Filed By: Andrew Hinkel
Submit Date: 3-19-2015
Decision: (G) Grant
Decision Date: 3-20-2015
ORD that the extension motion is granted. The time to file a notice of appeal or postconviction motion is hereby extended to 60 days from the date of this order.

OCCD CA 11-05-2014 Order of Circuit Court
