

# Wisconsin Supreme Court and Court of Appeals Case Access

State v. Lewis O. Floyd, Jr.

Appeal Number 2015AP001294 - CR

Supreme Court

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	08-10-2017		Remittitur
OCCD	SC	07-07-2017		Published Opinion Citation
		377 Wis. 2d 394		
OCCD	SC	07-07-2017		Published Opinion Citation
		898 N.W.2d 560		
OCCD	SC	07-07-2017		<a href="#">Opinion/Decision</a>
		Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly		
		Opinion: Opinion		
		Decision: Affirmed Pages: 27		
		Written by: Kelly, Daniel		
		Abrahamson, Shirley S. Joined Dissenting Opinion		
		Bradley, Ann Walsh Wrote Dissenting Opinion 17 pages.		
		Order Text: The decision of the court of appeals is affirmed.		
OCCD	SC	07-05-2017		Public Domain Citation
		Comment: PDC No: 2017 WI 78		
OCCD	SC	04-19-2017		Oral Argument
		Comment: 1st case, 9:45 a.m.; Atty. Michael Soukup for Def-App-Pet, Atty. Luke Berg for Pla-Res		
OCCD	SC	04-13-2017		Certificate of Filing by Mail
		Comment: BR3-IB 4/12/17		
OCCD	SC	04-13-2017		Reply Brief-Supreme Court
				<a href="#">Reply Brief-Supreme Court</a>
		Filed By: Michael Soukup		
OCCD	SC	04-12-2017		Briefs Received At State Law Library

OCCD SC 04-12-2017

Brief of Amicus Curiae/Non-Party  
[Brief of Amicus Curiae - SPD](#)

Filed By: L. Michael Tobin

---

OCCD SC 04-11-2017

Motion to File Amicus/Non-Party Brief

Filed By: L. Michael Tobin  
Submit Date: 4-11-2017  
Decision: (G) Grant  
Decision Date: 4-12-2017  
ORD that the motion is granted and the brief is accepted for filing.

---

OCCD SC 04-07-2017

Briefs Received At State Law Library

---

OCCD SC 03-29-2017

Response Brief-Supreme Court  
[Response Brief-Supreme Court](#)

Filed By: Luke Berg  
Comment: Appendix to Response Brief-Supreme Court

---

OCCD SC 03-09-2017

Briefs Received At State Law Library

---

OCCD SC 03-02-2017

Motion to Extend Time

Filed By: Luke Berg  
Submit Date: 3-2-2017  
Decision: (G) Grant  
Decision Date: 3-3-2017  
ORD that the motion is granted in part. This case is scheduled for oral argument on 4-19-2017. In order to ensure that all briefs are filed sufficiently in advance of oral argument to provide the court with adequate preparation time, the plaintiff-respondent's response brief is shall be served and filed on or before 3-29-2017.  
See BR2 event due on 3-29-2017

---

OCCD SC 03-02-2017

Attorney Change

Comment: substitute Luke Berg for Kevin LeRoy

---

OCCD SC 02-27-2017

First Brief-Supreme Court  
[First Brief-Supreme Court](#)

Filed By: Michael Soukup  
Comment: Separate Appendix

---

OCCD SC 02-22-2017

Motion to Extend Time

Filed By: Michael Soukup  
Submit Date: 2-23-2017  
Decision: (G) Grant  
Decision Date: 2-23-2017  
ORD that the motion is granted. Defendant-appellant-petitioner's opening brief shall be served and filed on or before 2-24-2017.  
See BR1 event due on 2-24-2017

---

OCCD SC 02-20-2017 Assigned for Oral Argument

---

OCCD SC 02-03-2017 Motion to Extend Time

Filed By: Michael Soukup

Submit Date: 2-3-2017

Decision: (G) Grant

Decision Date: 2-6-2017

ORD that the motion is granted. Defendant-appellant-petitioner's opening brief shall be served and filed on or before February 23, 2017.

See BR1 event due on 2-23-2017

---

OCCD SC 01-31-2017 Attorney Change

Comment: From AG: Deputy Solicitor General to appear for respondent, replacing AAG Tarver.

---

OCCD SC 01-30-2017 Response

Comment: 10 additional CA briefs for SC use received

---

OCCD SC 01-12-2017 Attorney Change

Comment: DA Hanson for former DA Chiapete

---

OCCD SC 01-11-2017 Letter/Correspondence

Comment: From AG; Plaintiff-Respondent brief filed.

---

OCCD SC 01-10-2017 Caption Amended

---

OCCD SC 01-10-2017 Court Changed to Supreme Court

---

OCCD SC 09-30-2016 Letter/Correspondence

Comment: from AAG Tarver advising State will not file formal response opposing PRE unless requested by the court

---

OCCD SC 09-28-2016 Fee Waived

Comment: SPD appointed

---

OCCD SC 09-28-2016 Petition for Review

Filed By: Michael Soukup

Submit Date: 10-3-2016

Decision: (G) Grant

Decision Date: 1-10-2017

ORD that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6), the defendant-appellant-petitioner may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court; and

FRO that pursuant to Wis. Stat. (Rule) 809.62(6) and 809.63, within 30 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;

and

FRO that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief or petition for review; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and

FRO that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and

FRO that within 30 days after the date of this order, each party must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; and

FRO that the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.

---

OCCD CA	09-12-2016	Final Publication
---------	------------	-------------------

---

OCCD CA	09-07-2016	Published Opinion Citation
	371 Wis. 2d 404	

---

OCCD CA	09-07-2016	Published Opinion Citation
	885 N.W.2d 156	

---

OCCD CA	09-07-2016	Opinion Ordered Published
---------	------------	---------------------------

---

OCCD CA	08-31-2016	Public Domain Citation
	Comment: PDC No: 2016 WI App 64	

---

OCCD CA	07-26-2016	Motion for Reconsideration
	Filed By: Michael Soukup	
	Submit Date: 7-27-2016	
	Decision: (D) Deny	
	Decision Date: 8-29-2016	
	ORD that the motion for reconsideration is denied.	

---

OCCD CA	07-06-2016	<a href="#">Opinion/Decision</a>
	Judge Panel: Gundrum, Hagedorn, Reilly	
	Opinion: Opinion	
	Decision: Affirmed Pages: 16	
	Written by: Gundrum, Mark D.	
	Reilly, Paul F. Wrote Concurring Opinion 2 pages.	
	Order Text: Judgment and order affirmed.	

---

OCCD CA	02-25-2016	Submitted on Briefs
---------	------------	---------------------

---

OCCD CA	01-04-2016	Briefs Received At State Law Library
---------	------------	--------------------------------------

---

OCCD CA	12-17-2015	Record and Briefs Sent to District 2
---------	------------	--------------------------------------

---

OCCD CA	12-15-2015	Certificate of Filing by Mail
	Comment: BRY	

---

OCCD CA 12-14-2015 Reply Brief  
[Reply Brief](#)

Filed By: Michael Soukup

---

OCCD CA 11-25-2015 Brief of Respondent(s)  
[Brief of Respondent](#)

Filed By: Sandra Tarver

---

OCCD CA 10-26-2015 Motion to Extend Time

Filed By: Sandra Tarver

Submit Date: 10-27-2015

Decision: (G) Grant

Decision Date: 10-28-2015

ORD that the time for the respondent to file its respondent's brief is extended to 11/25/15. See Wis. Stat. Rule 809.82(2)(a).

See BRS event due on 11-25-2015

---

OCCD CA 09-24-2015 Attorney Change

Comment: AAG Sandra L. Tarver for State per letter notice of appearance

---

OCCD CA 09-22-2015 Certificate of Filing by Mail

Comment: BAP

---

OCCD CA 09-21-2015 Brief & Appendix of Appellant(s)  
[Brief of Appellant](#)

Filed By: Michael Soukup

Comment: 10 additional copies of BAP w/Separate Appendix received for SC use. 1/30/17ab

---

OCCD CA 09-18-2015 Motion to Extend Time

Filed By: Michael Soukup

Submit Date: 9-21-2015

Decision: (G) Grant

Decision Date: 9-21-2015

ORD motion granted, time extended to 9/21/15.

See BAP event due on 9-21-2015

---

OCCD CA 09-11-2015 Motion to Extend Time

Filed By: Michael Soukup

Submit Date: 9-14-2015

Decision: (G) Grant

Decision Date: 9-14-2015

ORD motion granted, time extended to 9/18/15.

See BAP event due on 9-15-2015

---

OCCD CA 08-06-2015 Sealed Documents

Comment: PSI #13

---

OCCD CA	08-06-2015	Record
	Comment: 1-3 to 29-1	
OCCD CA	07-10-2015	Notice of Reporter RE: Filing of Transcript(s)
	Court Reporter Name: (Campbell, Sandra)	
OCCD CA	07-09-2015	Statement on Transcript
	Filed By: Michael Soukup	
	Status: Ordered	
OCCD CA	07-08-2015	Transcript filed in Circuit Court
OCCD CA	07-01-2015	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	07-01-2015	Fee Waived
	Comment: SPD	
OCCD CA	07-01-2015	Notice of Appeal & Circuit Court Docket Entries
OCCD CA	07-01-2015	X Transfer
OCCD CA	06-29-2015	State Public Defender Order Appointing Counsel
OCCD CA	06-26-2015	Notice of Appeal filed in Circuit Court
OCCD CA	06-11-2015	Order of Circuit Court
OCCD CA	05-27-2015	Mot. Extend Time to Decide Postconviction Motion
	Filed By: Michael Soukup	
	Submit Date: 5-27-2015	
	Decision: (G) Grant	
	Decision Date: 5-28-2015	
	ORD that the time for deciding the defendant's postconviction motion is extended to July 24, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).	
OCCD CA	04-13-2015	Mot. Extend Time to file NAP/PCM
	Filed By: Michael Soukup	
	Submit Date: 4-14-2015	
	Decision: (G) Grant	
	Decision Date: 4-15-2015	
	ORD that the time for filing a notice of appeal or postconviction motion is extended to 4/20/15. See Wis. Stat. Rule 809.82(2)(a).	
OCCD CA	03-27-2015	Mot. Extend Time to file NAP/PCM
	Filed By: Michael Soukup	

Submit Date: 3-27-2015

Decision: (G) Grant

Decision Date: 3-30-2015

ORD that the time for filing a notice of appeal or postconviction motion is extended to 4/13/15. See Wis. Stat. Rule 809.82(2)(a).

---

OCCD CA 02-25-2015

Mot. Extend Time to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 2-25-2015

Decision: (G) Grant

Decision Date: 3-2-2015

ORD that the time for filing a notice of appeal or postconviction motion is extended to 3/30/15. See Wis. Stat. Rule 809.82(2)(a).

---

OCCD CA 12-29-2014

Mot. Extend Time to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 12-30-2014

Decision: (G) Grant

Decision Date: 1-2-2015

ORD that the time for filing a notice of appeal or postconviction motion is extended to February 27, 2015. See Wis. Stat. Rule 809.82(2)(a).

---

OCCD CA 10-28-2014

Mot. Extend Time to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 10-28-2014

Decision: (G) Grant

Decision Date: 10-29-2014

ORD that the time for filing a notice of appeal or postconviction motion is extended to 12/29/14. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

---

OCCD CA 08-29-2014

Mot. Extend Time to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 8-29-2014

Decision: (G) Grant

Decision Date: 9-3-2014

ORD that the time for filing a notice of appeal or postconviction motion is extended to October 28, 2014. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

---

OCCD CA 03-19-2014

Judgment of Circuit Court

---