

# Wisconsin Supreme Court and Court of Appeals Case Access

## Winnebago County v. C.S.

### Appeal Number 2016AP001982

**CONFIDENTIAL**  
Supreme Court

#### CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	05-18-2020		Remittitur
OCCD	SC	04-10-2020		Cites
		391 Wis. 2d 35		
OCCD	SC	04-10-2020		Cites
		940 N.W.2d 875		
OCCD	SC	04-10-2020		<a href="#">Opinion/Decision</a>
		Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Kelly, Dallet, Hagedorn Opinion: Opinion Decision: Reversed and remanded Pages: 35 Written by: Ziegler, Annette K. Bradley, Rebecca Grassl Wrote Dissenting Opinion 18 pages. Hagedorn, Brian K. Wrote Dissenting Opinion 21 pages. Roggensack, Patience Drake Joined Dissenting Opinion Order Text: The decision of the court of appeals is reversed, and the cause is remanded to the circuit court for further proceedings consistent with this opinion. Comment: Opinion/Decision		
OCCD	SC	04-09-2020		Public Domain Citation
		Comment: PDC No: 2020 WI 33		
OCCD	SC	01-15-2020		Oral Argument
		Comment: 1st case, 9:45 a.m. Attorney Kaitlin A. Lamb for RES-APP-PET, Attorney Mary A. Mueller for PET-RES.		
OCCD	SC	01-08-2020		Briefs Received At State Law Library
OCCD	SC	12-30-2019		Rejected Electronic Document
		Comment: Non-Party Brief - Disability Rights Wisconsin; Duplicate, no action.		

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OCCD SC 12-27-2019 Brief of Amicus Curiae  
Filed By: Todd S  
Comment: Disability Rights Wisconsin

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OCCD SC 12-20-2019 Notice of Appearance  
Comment: Attorney Machalow and Attorney Smith for Disability Rights Wisconsin

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OCCD SC 12-17-2019 Motion to Extend Time  
Filed By: Todd S  
Submit Date: 12-17-2019  
Decision: (G) Grant  
Decision Date: 12-18-2019  
ORD that the motion is granted in part. Disability Rights Wisconsin's non-party brief shall be served on or before December 27, 2019.  
See BAM event due on 12-27-2019

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OCCD SC 12-16-2019 Certificate of Filing by Mail  
Comment: Re: Reply Brief (SC); Rcvd 22 copies mailed, 12-13-2019. (COS)

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OCCD SC 12-16-2019 Reply Brief-Supreme Court  
Filed By: Kaitlin Lamb

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OCCD SC 12-10-2019 Motion to Extend Time  
Filed By: Kaitlin Lamb  
Submit Date: 12-10-2019  
Decision: (G) Grant  
Decision Date: 12-11-2019  
ORD that Disability Rights Wisconsin's motions are granted in part. Twenty-two copies of DRW's non-party brief shall be filed on or before December 20, 2019. All briefing shall be complete no later than December 30, 2020. The court will not alter the scheduled January 15, 2020 oral argument.  
ORD that the motion for respondent-appellant-petitioner, C.S., is granted.  
Respondent-appellant-petitioner's reply brief shall be served and filed on or before December 13, 2019.  
See BR3 event due on 12-13-2019

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OCCD SC 12-09-2019 Motion to File Amicus/Non-Party Brief  
Filed By: Todd S  
Submit Date: 12-9-2019  
Decision: (G) Grant  
Decision Date: 12-11-2019  
ORD that Disability Rights Wisconsin's motions are granted in part. Twenty-two copies of DRW's non-party brief shall be filed on or before December 20, 2019. All briefing shall be complete no later than December 30, 2020. The court will not alter the scheduled January 15, 2020 oral argument.  
ORD that the motion for respondent-appellant-petitioner, C.S., is granted.  
Respondent-appellant-petitioner's reply brief shall be served and filed on or before December 13, 2019.  
Comment: Disability Rights Wisconsin; and MXT to file motion

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OCCD SC 12-06-2019 Briefs Received At State Law Library  
Comment: Amicus Curiae - AG

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OCCD SC 12-02-2019 Rejected Electronic Document  
Comment: Non-Party Brief of the Attorney General; This efile is rejected because the caption on the cover page needs to be corrected (Winnebago County should have the following party designation: Petitioner-Respondent). Please efile a corrected brief. The paper copies have been corrected by Clerk's Office staff.

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OCCD SC 11-25-2019 Motion to Extend Time  
Filed By: Kaitlin Lamb  
Submit Date: 11-25-2019  
Decision: (G) Grant  
Decision Date: 11-29-2019  
IT IS ORDERED that the State's motion is granted. The State of Wisconsin's 4,356-word non-party brief is accepted as filed.  
IT IS FURTHER ORDERED that the motion of respondent-appellant-petitioner, C.S., is granted. Respondent-appellant-petitioner's reply brief shall be served and filed on or before December 10, 2019. See BR3 event due on 12-10-2019

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OCCD SC 11-22-2019 Motion to Waive Filing Requirements  
Filed By: Maura W  
Submit Date: 11-22-2019  
Decision: (G) Grant  
Decision Date: 11-29-2019  
IT IS ORDERED that the State's motion is granted. The State of Wisconsin's 4,356-word non-party brief is accepted as filed.  
IT IS FURTHER ORDERED that the motion of respondent-appellant-petitioner, C.S., is granted. Respondent-appellant-petitioner's reply brief shall be served and filed on or before December 10, 2019. Comment: Request to file oversized brief

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OCCD SC 11-22-2019 Brief of Amicus Curiae  
Filed By: Maura W  
Comment: Brief of Attorney General. Please note the party designation on the caption was corrected on the covers of all briefs. Please use the above caption on all future briefs.

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OCCD SC 11-18-2019 Briefs Received At State Law Library

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OCCD SC 11-14-2019 Assigned-Oral Argument

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OCCD SC 11-12-2019 E-Filing Certification  
Comment: Appendix - Response Brief - Supreme Court

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OCCD SC 11-11-2019 Rejected Electronic Document  
Comment: Appendix - Response Brief - Supreme Court; This efile is rejected because it does not contain the e-filing certification pursuant to Rule 809.19(13)(f). E-filing the appendix is not required. If you choose not to re-efile the appendix, no further action is necessary. If you wish to re-efile the appendix, you must fax the e-filing certification to the Clerk's Office at 608-267-0640 before it can be accepted.

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OCCD SC 11-11-2019 Certificate of Filing by Mail  
Comment: RE: Response Brief - Supreme Court, (IB), Shipped 11-8-19

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OCCD SC	11-11-2019	Response Brief-Supreme Court
Filed By: Mary Mueller Comment: Please be advised briefs and appendices must comply with Wis. Stat. Rule 809.19(1)(g) regarding the rules on confidentiality.		
OCCD SC	11-07-2019	Rejected Electronic Document
Comment: Appendix - Response Brief - Supreme Court; This appendix is rejected for possible breaches of confidentiality.		
OCCD SC	11-07-2019	Rejected Electronic Document
Comment: Response Brief - Supreme Court; This brief is rejected for possible breaches of confidentiality.		
OCCD SC	11-06-2019	Motion to File Amicus/Non-Party Brief
Filed By: Maura W Submit Date: 11-6-2019 Decision: (G) Grant Decision Date: 11-8-2019 ORD that the motion is granted. Twenty-two copies of the brief shall be filed on or before November 22, 2019. Comment: State of Wisconsin/Attorney General		
OCCD SC	11-01-2019	Motion to Extend Time
Filed By: Mary Mueller Submit Date: 11-1-2019 Decision: (G) Grant Decision Date: 11-5-2019 ORD that the motion is granted. Petitioner-respondent's response brief shall be served and filed on or before November 18, 2019. See BR2 event due on 11-18-2019		
OCCD SC	10-15-2019	Rejected Electronic Document
Comment: Brief of Respondent-Appellant-Petitioner; This brief is rejected because the wrong brief/document type was selected. Please efile the brief under the correct document type.		
OCCD SC	10-15-2019	Certificate of Filing by Mail
Comment: Re: First Brief Supreme Court, mailed, 10/11/2019. COS.		
OCCD SC	10-15-2019	First Brief-Supreme Court
Filed By: Kaitlin Lamb Comment: Appx to First Brief-Supreme Court		
OCCD SC	10-08-2019	Motion to Extend Time
Filed By: Kaitlin Lamb Submit Date: 10-8-2019 Decision: (G) Grant Decision Date: 10-10-2019 ORD that the motion is granted. Respondent-appellant-petitioner's first brief shall be served and filed on		

or before October 11, 2019.  
See BR1 event due on 10-11-2019

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OCCD SC	09-30-2019	Attorney Change
Comment: Attorney Mueller for respondent per notice of substitution of counsel.		

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OCCD SC	09-16-2019	Motion to Extend Time
Filed By: Kaitlin Lamb		
Submit Date: 9-16-2019		
Decision: (G) Grant		
Decision Date: 9-18-2019		
ORD that the motion is granted. Respondent-appellant-petitioner's first brief shall be served and filed on or before October 8, 2019.		
See BR1 event due on 10-8-2019		

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OCCD SC	08-15-2019	Caption Amended
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OCCD SC	08-15-2019	Court Changed to Supreme Court
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OCCD SC	08-09-2019	Letter/Correspondence
Comment: From Justice Hagedorn to parties; advising he has decided a separate appeal arising from earlier extension orders involving the same parties and does not feel it would be a conflict to participate in this case.		

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OCCD CA	05-08-2019	Final Publication
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OCCD SC	04-26-2019	Fee Waived
Comment: SPD		

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OCCD SC	04-26-2019	Petition for Review
Filed By: Kaitlin Lamb		
Submit Date: 5-14-2019		
Decision: (G) Grant		
Decision Date: 8-15-2019		
ORD the petition for review is granted. Briefs/statements 30/20/10.		
Motion Response		
Filed By: James Kearney		
Submit Date: 5-14-2019		

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OCCD CA	04-24-2019	Cites
927 N.W.2d 576		

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OCCD CA	04-24-2019	Cites
386 Wis. 2d 612		

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OCCD CA	04-24-2019	Opinion Ordered Published
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OCCD CA 04-24-2019 Public Domain Citation  
Comment: PDC No: 2019 WI App 16

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OCCD CA 03-27-2019 [Opinion/Decision](#)  
Judge Panel: Gundrum, Neubauer, Reilly  
Opinion: Opinion  
Decision: Affirmed Pages: 12  
Written by: Reilly, Paul F.  
Order Text: Orders affirmed

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OCCD CA 01-10-2019 Submitted on Briefs

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OCCD CA 12-21-2018 Briefs Received At State Law Library

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OCCD CA 12-06-2018 Briefs Sent to District

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OCCD CA 12-06-2018 Briefs Sent to District

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OCCD CA 12-06-2018 Certificate of Filing by Mail  
Comment: Re: Reply Brief; rcvd 10 copies of briefs; mailed, 12-05-2018

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OCCD CA 12-06-2018 Reply Brief  
Comment: Please note that the title of this brief has been added.

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OCCD CA 11-20-2018 Motion to Extend Time  
Filed By: Kaitlin Lamb  
Submit Date: 11-20-2018  
Decision: (G) Grant  
Decision Date: 11-23-2018  
ORD that the time for the appellant to file a brief in reply to the attorney general's brief is extended to December 5, 2018.  
See BRY event due on 12-5-2018

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OCCD CA 11-07-2018 Attorney Change  
Comment: AAG Whelan withdrawn as representing Winnebago Cty. per letter filed 11/6/18.

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OCCD CA 11-06-2018 Letter/Correspondence  
Comment: Filed by AAG Whelan advising she does not represent Winnebago County and should be removed as counsel for Winnebago County.

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OCCD CA 11-05-2018 Brief of Amicus Curiae  
Comment: Brief of Attorney General

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OCCD CA 10-19-2018 Motion to Extend Time  
Filed By: Maura Whelan

Submit Date: 10-22-2018

Decision: (G) Grant

Decision Date: 10-23-2018

ORD that the time for the Attorney General's Office to file its brief is extended to November 5, 2018. See Wis. Stat. Rule 809.82(2)(a).

See BRS event due on 11-5-2018

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OCCD CA	09-26-2018	Attorney Change
Comment: AAG Whelan added as co-counsel for Winnebago County.		

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OCCD CA	09-25-2018	Briefs Received At State Law Library
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OCCD CA	09-12-2018	Court Order for 3-Judge Panel
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OCCD CA	09-12-2018	Court Order
ORD that this case shall be decided by a three-judge panel.		
FRO that within forty days, the attorney general shall file a respondents brief in compliance with the form and length requirements in WIS. STAT. RULE 809.19(3).		
FRO that the appellant may file a reply to the attorney generals brief within fifteen days of its filing. The appellants reply shall comply with the WIS. STAT. RULE 809.19(4) requirements for a reply brief.		
FRO that this case is withdrawn from submission and held in abeyance pending further briefing.		

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OCCD CA	09-07-2018	Submitted on Briefs
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OCCD CA	09-06-2018	Record and Briefs Sent to District 2
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OCCD CA	09-04-2018	Hold Status
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OCCD SC	07-11-2018	Court Order
ORD that the parties file simultaneous letters by July 25, 2018, discussing the impact of the Scott case, if any, on the issues raised in the petition for bypass.		
See BYP event filed on 5-17-2018		

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OCCD SC	05-31-2018	Letter/Correspondence
Comment: From James A. Kearney advising that the Respondent will not be filing a response and take no position on the petition to bypass.		

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OCCD CA	05-21-2018	Certificate of Filing by Mail
Comment: BRY (Shipped May 18, 2018)		

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OCCD CA	05-21-2018	Reply Brief
Filed By: Kaitlin Lamb		
Comment: Appx to Reply Brief		

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OCCD SC	05-17-2018	Fee Waived
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Comment: SPD

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OCCD SC 05-17-2018 Petition to Bypass

Filed By: Kaitlin Lamb  
Submit Date: 5-31-2018  
Decision: (D) Deny  
Decision Date: 9-4-2018  
ORD the petition to bypass is denied, without costs.

Motion Response

Filed By: Kaitlin Lamb  
Submit Date: 7-31-2018

Motion Response

Filed By: James Kearney  
Submit Date: 7-26-2018

This motion contains court order(s).

Comment: Parties to file simultaneous letters by 7/25/18 regarding Scott case per 7/11/18 CTO; Appellant's letter filed 7/25/18; Respondent's letter filed 7/26/18

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OCCD CA 05-09-2018 Rejected Electronic Document

Comment: Brief of Respondent; This efile is rejected because the pages of the efiled brief start and end at different spots than the pages of the paper brief. Please efile an exact version of the paper copy.

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OCCD CA 05-04-2018 Rejected Electronic Document

Comment: Brief of Respondent; This efile is rejected because the cover page needs to be corrected. Both Honorable Barbara Key and Karen L. Seifert should be on the cover page. Please efile a corrected brief in its entirety.

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OCCD CA 05-04-2018 Certificate of Service

Comment: re: respondent's brief

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OCCD CA 05-04-2018 Brief of Respondent(s)

Filed By: James Kearney

Comment: Please note that the appellate case number has been corrected and the name of the Honorable Karen L. Seifert has been added to the covers of all brief copies. Please include this information on all future briefs.

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OCCD CA 04-06-2018 Certificate of Filing by Mail

Comment: BAP 4/3/18

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OCCD CA 04-06-2018 Brief & Appx of Appellant(s)

Filed By: Kaitlin Lamb

Comment: Appx to Brief of Appellant(s)

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OCCD CA 03-27-2018 Motion to Extend Time

Filed By: Kaitlin Lamb  
Submit Date: 3-28-2018  
Decision: (G) Grant

Decision Date: 3-29-2018

ORD that the time for the appellant to file an appellant's brief is extended to April 3, 2018. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 4-3-2018

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OCCD CA 03-19-2018 Motion to Extend Time

Filed By: Kaitlin Lamb

Submit Date: 3-19-2018

Decision: (G) Grant

Decision Date: 3-22-2018

ORD that the time for the appellant to file an appellant's brief is extended to March 27, 2018. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 3-27-2018

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OCCD CA 02-15-2018 Motion to Extend Time

Filed By: Kaitlin Lamb

Submit Date: 2-15-2018

Decision: (G) Grant

Decision Date: 2-19-2018

ORD that the time for the appellant to file an appellant's brief is extended to March 19, 2018. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 3-19-2018

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OCCD CA 01-11-2018 Motion to Extend Time

Filed By: Kaitlin Lamb

Submit Date: 1-11-2018

Decision: (G) Grant

Decision Date: 1-16-2018

ORD that the time for the appellant to file an appellant's brief is extended to February 15, 2018. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 2-15-2018

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OCCD CA 12-12-2017 Letter/Correspondence

Comment: To parties; advising of update on the hold status. cg

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OCCD CA 12-12-2017 Hold Status

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OCCD CA 09-15-2017 Motion for Stay

Filed By: Kaitlin Lamb

Submit Date: 10-2-2017

Decision: (G) Grant

Decision Date: 10-4-2017

ORD that the briefing schedule in the above case is stayed pending the Wisconsin Supreme Court's resolution of Winnebago County v. C.S., 2016AP1955.

FRO that the appellant's brief shall be due thirty days after the Wisconsin Supreme Court's resolution of Winnebago County v. C.S., 2016AP1955.

Comment: Briefing

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OCCD CA 08-16-2017 Letter/Correspondence

Comment: To parties; advising of update on the hold status. cg

OCCD CA	08-16-2017	Hold Status
OCCD CA	03-09-2017	Motion for Stay
	<p>Filed By: Kaitlin Lamb  Submit Date: 3-28-2017  Decision: (G) Grant  Decision Date: 3-30-2017  ORD that briefing in this appeal is stayed pending a decision in Winnebago County v. C.S., No. 2016AP1955.  FRO that the appellant's brief shall be filed within 30 days of the date of this court releases a decision in Winnebago v. C.S., No. 2016AP1955.  Comment: pending decision in 16AP1955</p>	
OCCD CA	03-02-2017	Motion to Extend Time
	<p>Filed By: Kaitlin Lamb  Submit Date: 3-2-2017  Decision: (G) Grant  Decision Date: 3-3-2017  ORD that the time for the appellant to file an appellant's brief is extended to 3-9-2017. See Wis. Stat. Rule 809.82(2)(a).  See BAP event due on 3-9-2017</p>	
OCCD CA	01-31-2017	Motion to Extend Time
	<p>Filed By: Kaitlin Lamb  Submit Date: 1-31-2017  Decision: (G) Grant  Decision Date: 2-2-2017  ORD that the time for the appellant to file his appellant's brief is extended to 3-2-2017. See Wis. Stat. Rule 809.82(2)(a).  See BAP event due on 3-2-2017</p>	
OCCD CA	12-27-2016	Motion to Extend Time
	<p>Filed By: Kaitlin Lamb  Submit Date: 12-28-2016  Decision: (G) Grant  Decision Date: 12-29-2016  ORD that the time for the appellant to file his appellant's brief is extended to 1/31/17. See Wis. Stat. Rule 809.82(2)(a).  See BAP event due on 1-31-2017</p>	
OCCD CA	11-14-2016	Record
	<p>Comment: ELECTRONICALLY FILED; 1-1 to 45-1</p>	
OCCD CA	10-19-2016	Other Papers
	<p>Comment: CRS transcripts previously filed; CR Catherine Carver</p>	
OCCD CA	10-17-2016	Statement on Transcript
	<p>Filed By: Kaitlin Lamb  Status: Prev. Filed</p>	

OCCD CA	10-14-2016	Case to proceed under RAP
OCCD CA	10-14-2016	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	10-14-2016 Comment: SPD	Fee Waived
OCCD CA	10-14-2016	Docketing Statement Submitted
OCCD CA	10-14-2016	Notice of Appeal & Court Record
OCCD CA	10-14-2016	X Transfer
OCCD CA	10-11-2016	Docketing Statement from Appellant
OCCD CA	10-06-2016	Notice of Appeal filed in Cir. Ct.
OCCD CA	09-15-2016	Order of Circuit Court
OCCD CA	09-09-2016 Filed By: Kaitlin Lamb Submit Date: 9-12-2016 Decision: (G) Grant Decision Date: 9-13-2016 ORD that the time for deciding the respondent's postcommitment motion is extended to 10/11/16. See Wis. Stat. Rule 809.82(2)(a).	MXT to decide Postdisposition Motion
OCCD CA	06-24-2016 Filed By: Kaitlin Lamb Submit Date: 6-27-2016 Decision: (G) Grant Decision Date: 6-28-2016 ORD that the time for filing a notice of appeal or postconviction motion is extended to 7/11/16. See Wis. Stat. Rule 809.82(2)(a) (2013-14).	MXT to file NAP/Postdisposition motion
OCCD CA	04-25-2016 Filed By: Kaitlin Lamb Submit Date: 4-26-2016 Decision: (G) Grant Decision Date: 4-27-2016 ORD that the time for filing a notice of appeal or postcommitment motion is extended to 6/24/16. See Wis. Stat. Rule 809.82(2)(a).	MXT to file NAP/Postdisposition motion
OCCD CA	03-24-2016 Filed By: Kaitlin Lamb	MXT to file NAP/Postdisposition motion

WSCCA Case History

Submit Date: 3-24-2016

Decision: (G) Grant

Decision Date: 3-25-2016

ORD that the time for filing a notice of appeal or postcommitment motion is extended to 4-25-2016. See Wis. Stat. Rule 809.82(2)(a).

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OCCD CA 10-02-2015

MXT to file Notice of Intent

Filed By: C. S

Submit Date: 10-6-2015

Decision: (G) Grant

Decision Date: 10-7-2015

ORD that the time for filing a notice of intent to pursue postdisposition relief under Wis. Stat. Rule 809.30920(b), is extended to October 2, 2015. Wis. Stat. Rule 809.82(2)(a).

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OCCD CA 06-30-2015

Order of Circuit Court

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