

Wisconsin Supreme Court and Court of Appeals Case Access

Winnebago County v. D.E.W.

Appeal Number 2023AP000215

CONFIDENTIAL
Supreme Court

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|-------------|----------------------|---|
| OCCD | SC | 06-28-2024 | | Other Papers Comment: Returned Mail - D. E. W. - Remittitur - 6-19-2024: Undeliverable - Unable to Forward |
| OCCD | SC | 06-19-2024 | | Remittitur |
| OCCD | SC | 06-05-2024 | | Other Papers Comment: Notice of Completion - Representation Christopher August |
| OCCD | SC | 05-14-2024 | | Opinion/Decision Judge Panel: Ziegler, Bradley, Bradley, Dallet, Hagedorn, Karofsky, Protasiewicz Opinion: Per Curiam Decision: Dismissed Pages: 2 Bradley, Rebecca Grassl Wrote Concurring Opinion 2 pages. Ziegler, Annette K. Joined Concurring Opinion Hagedorn, Brian K. Joined Concurring Opinion Dallet, Rebecca Frank Wrote Dissenting Opinion 3 pages. Bradley, Ann Walsh Joined Dissenting Opinion Order Text: The review of the decision of the court of appeals is dismissed as improvidently granted. |
| OCCD | SC | 05-13-2024 | | Public Domain Citation Comment: PDC No: 2024 WI 21 |
| OCCD | SC | 03-20-2024 | | Oral Argument Comment: 1st case, 9:45 a.m. (State Capitol SC Hearing Room) Atty Christopher August for D.E.W., and Atty Catherine Scherer for Winnebago County |
| OCCD | SC | 02-29-2024 | | Brief of Amicus Curiae/Non-Party Filed By: Matthew T Comment: Wisconsin Counties Association |
| OCCD | SC | 02-16-2024 | | Reply Brief-Supreme Court Filed By: Christopher August |

OCCD SC 02-14-2024 Motion to Extend Time
Filed By: Christopher August
Submit Date: 2-14-2024
Decision: (G) Grant
Decision Date: 2-16-2024
IT IS ORDERED that the motion is granted. Respondent-appellant-petitioner's reply brief shall be filed on or before February 21, 2024.
See BR3 event due on 2-21-2024

OCCD SC 02-13-2024 Motion to File Amicus/Non-Party Brief
Filed By: Matthew T
Submit Date: 2-13-2024
Decision: (G) Grant
Decision Date: 2-14-2024
IT IS ORDERED that the motion is granted. The non-party brief shall be filed on or before February 29, 2024.
Comment: Wisconsin Counties Association

OCCD SC 01-31-2024 Response Brief-Supreme Court
Filed By: Catherine Scherer

OCCD SC 01-10-2024 First Brief-Supreme Court
[First Brief - Supreme Court](#)
Filed By: Christopher August

OCCD SC 12-29-2023 Assigned for Oral Argument

OCCD SC 12-12-2023 Court Changed to Supreme Court

OCCD CA 08-30-2023 Published Opinion Citation
409 Wis. 2d 94

OCCD CA 08-30-2023 Opinion Ordered Unpublished
Comment: Opinion Ordered Unpublished

OCCD SC 08-24-2023 Fee Waived
Comment: SPD

OCCD SC 08-24-2023 Petition for Review
[Response to Petition for Review](#)
[Petition for Review](#)
Filed By: Christopher August
Submit Date: 8-30-2023
Decision: (G) Grant
Decision Date: 12-12-2023
IT IS ORDERED that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6), the respondent-appellant-petitioner may not raise or argue issues not set forth in the petition for review

unless otherwise ordered by the court; and

IT IS FURTHER ORDERED that pursuant to Wis. Stat. (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the respondent-appellant-petitioner must file a brief in this court; that within 20 days of filing the petitioner-respondent, Winnebago County, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the petitioner-respondent, within 10 days of filing the respondent-appellant-petitioner must file either a reply brief or a statement that no reply brief will be filed; and

IT IS FURTHER ORDERED 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 or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and

IT IS FURTHER ORDERED 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

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

Motion Response

Filed By: Catherine Scherer

Submit Date: 8-30-2023

OCCD CA 07-26-2023 [Opinion/Decision](#)

Judge Panel: Gundrum

Opinion: Opinion

Decision: Affirmed Pages: 12

Order Text: Order affirmed.

OCCD CA 05-10-2023 Submitted on Briefs

OCCD CA 05-09-2023 Briefs Sent to District

OCCD CA 05-09-2023 Reply Brief

Filed By: Christopher August

OCCD CA 04-27-2023 Record and Briefs Sent to District 2

OCCD CA 04-27-2023 Brief of Respondent(s)

Filed By: Catherine Scherer

OCCD CA 04-20-2023 Motion to Extend Time

Filed By: Catherine Scherer

Submit Date: 4-20-2023

Decision: (G) Grant

Decision Date: 4-21-2023

IT IS ORDERED that the time for the respondent to file its brief is extended to May 5, 2023. See WIS. STAT. RULE 809.82(2)(a).

See BRS event due on 5-5-2023

OCCD CA 03-22-2023 Brief & Appendix of Appellant(s)

Filed By: Christopher August

WSCCA Case History

| | | |
|---|------------|--|
| OCCD CA | 03-22-2023 | Record |
| Comment: ELECTRONICALLY FILED | | |
| OCCD CA | 02-20-2023 | Letter/Correspondence |
| Comment: Letter from Counsel re Representation of County | | |
| OCCD CA | 02-07-2023 | Telephone Conf. on Docketing Statement Scheduled |
| Comment: Tuesday, February 21 at 10:00am; Letter from Court re Telephone Conference on Docketing Statement | | |
| OCCD CA | 02-06-2023 | Sua Sponte |
| Filed By: Unassigned District 2 | | |
| Submit Date: 2-6-2023 | | |
| Decision: (O) Other | | |
| Decision Date: 2-21-2023 | | |
| IT IS ORDERED that the appeal will continue under the normal briefing schedule set forth in WIS. STAT. RULE 809.19. | | |
| Comment: Docketing Statement | | |
| OCCD CA | 02-06-2023 | Delinquent |
| Comment: New due date of connected DSA: 2-13-2023 | | |
| OCCD CA | 02-06-2023 | Notice of Docketing of Appeal |
| OCCD CA | 02-06-2023 | Fee Waived |
| Comment: SPD | | |
| OCCD CA | 02-06-2023 | Other Papers |
| Comment: Copy of Circuit Court Docket | | |
| OCCD CA | 02-06-2023 | Docketing Statement from Appellant |
| OCCD CA | 02-03-2023 | Statement on Transcript |
| Filed By: Christopher August | | |
| Status: Prev. Filed | | |
| OCCD CA | 02-03-2023 | Notice of Appeal & Circuit Court Docket Entries |
| OCCD CA | 02-02-2023 | Notice of Appeal filed in Circuit Court |
| OCCD CA | 10-20-2022 | Order of Circuit Court |