

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Anthony H. Garbacz, Jr.**

**Appeal Number 2017AP001419 - CR**

**Court of Appeals District 4**

## CASE HISTORY

| Status | Court | Filing Date  | Anticipated Due Date | Activity                         |
|--------|-------|--|----------------------|----------------------------------|
| OCCD   | CA    | 09-04-2018   |                      | Remittitur                       |
| OCCD   | CA    | 06-27-2018   |                      | Cites                            |
|        |       | 917 N.W.2d 234   |                      |                                  |
| OCCD   | CA    | 06-27-2018   |                      | Cites                            |
|        |       | 382 Wis. 2d 832  |                      |                                  |
| OCCD   | CA    | 06-27-2018   |                      | Opinion Ordered Unpublished      |
| OCCD   | SC    | 06-07-2018   |                      | Letter/Correspondence            |
|        |       | Comment: from AAG Kowski advising State will not file formal response opposing PRE unless ordered by the court   |                      |                                  |
| OCCD   | CA    | 06-06-2018   |                      | Rejected Electronic Document     |
|        |       | Comment: Petition for Review; The appendix cannot be efiled along with the petition. Please efile the petition only, as your efile certification only certifies that the petition is identical to the efile. |                      |                                  |
| OCCD   | SC    | 05-31-2018   |                      | Fee Paid                         |
|        |       | Comment: Receipt No: 18R 001334  |                      |                                  |
| OCCD   | SC    | 05-31-2018   |                      | Petition for Review              |
|        |       | Filed By: Daniel Key<br>Submit Date: 6-8-2018<br>Decision: (D) Deny<br>Decision Date: 9-4-2018<br>ORD that the petition for review is denied, without costs.   |                      |                                  |
| OCCD   | CA    | 05-03-2018   |                      | <a href="#">Opinion/Decision</a> |
|        |       | Judge Panel: Sherman<br>Opinion: Opinion<br>Decision: Affirmed Pages: 7  |                      |                                  |

Order Text: Judgment affirmed

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| OCCD CA | 04-20-2018 | Briefs Received At State Law Library |
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| OCCD CA | 03-26-2018 | Submitted on Briefs |
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| OCCD CA | 03-26-2018 | Record and Briefs Sent to District 4 |
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| OCCD CA | 03-21-2018 | Rejected Electronic Document  |
|         |            | Comment: Corrected Brief of Respondent 17AP1419-CR; The brief does not match the paper brief as the pagination is off. Please ensure the efile matches the paper brief before efilng a corrected brief. |

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| OCCD CA | 03-20-2018 | Rejected Electronic Document  |
|         |            | Comment: Brief of Respondent; This corrected efile is incomplete as it contains only the cover and two additional pages. The entire brief must be efiled. |

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| OCCD CA | 03-15-2018 | Sua Sponte  |
|         |            | Filed By: Unassigned District 4<br>Submit Date: 3-15-2018<br>Decision: (O) Other<br>Decision Date: 3-16-2018<br>ORD that the electronic copy of the respondent's brief shall be filed within 11 days of the date of this order.<br>Comment: E-filed BRS rejected 2/20, delinquency notice sent 3/1, still no e-file |

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| OCCD CA | 03-01-2018 | Other Papers  |
|         |            | Comment: Notice: A paper copy of the Brief of Respondent has been filed by the respondent's attorney with a minor correction to the cover. This document has not been properly filed in electronic form as required by WIS. STAT. RULE 809.19(12). A notice was transmitted to counsel via e-mail advising that the original electronic filing required correction. Counsel shall file a corrected copy of the document in electronic form within 5 days of the date of this order. Failure to file the corrected document in electronic form may result in the imposition of a penalty under WIS. STAT. RULE 809.83(2). See also WIS. STAT. RULE 809.80(5)(b). |

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| OCCD CA | 02-20-2018 | Rejected Electronic Document  |
|         |            | Comment: Brief of Respondent; The efile is rejected because the cover lists the incorrect presiding court official. Please change the cover to reflect The Honorable Lynn M. Rider. Paper briefs have been corrected by Clerk's Office staff. |

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| OCCD CA | 02-20-2018 | Brief of Respondent(s)<br><a href="#">Brief of Respondent</a>   |
|         |            | Filed By: Timothy Baxter  |
|         |            | Comment: Please note that the Trial Court Judge has been corrected on the cover of all briefs. Please include this information on all future briefs pursuant to Rule 809.19 (9) |

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| OCCD CA | 01-30-2018 | Motion to Extend Time    |
|         |            | Filed By: Timothy Baxter |

Submit Date: 1-30-2018

Decision: (G) Grant

Decision Date: 2-1-2018

ORD that the time to file the State's brief is extended to February 16, 2018.

See BRS event due on 2-16-2018

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OCCD CA 01-04-2018

Motion to Extend Time

Filed By: Timothy Baxter

Submit Date: 1-4-2018

Decision: (G) Grant

Decision Date: 1-8-2018

ORD that the time to file the respondent's brief is hereby extended to February 1, 2018.

See BRS event due on 2-1-2018

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OCCD CA 12-27-2017

Delinquent

Comment: New due date of connected BRS: 1-4-2018

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OCCD CA 12-07-2017

Rejected Electronic Document

Comment: Brief of Appellant; This e-file is rejected because the party designations on the cover page are incorrect. State of Wisconsin should be listed as Plaintiff-Respondent, not Plaintiff-Appellee. Please correct the cover page and e-file the corrected brief in its entirety.

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OCCD CA 11-21-2017

Rejected Electronic Document

Comment: Brief of Appellant; This e-file is rejected because the brief and appendix are combined into one e-file. You must e-file the brief (text-searchable PDF) and appendix (image PDF) separately. If you chose to e-file the appendix, you must also fax an e-filing certification pursuant to Rule 809.19(13)(f) because your e-filing certification within the brief does not apply to the appendix (fax: 608-267-0640).

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OCCD CA 11-21-2017

Other Papers

Comment: Notice: A paper copy of the appellant's brief has been filed by the appellants attorney. This document has not been filed in electronic form as required by WIS. STAT. RULE 809.19(12) or 809.32(1)(fm). Counsel shall file a copy of the document in electronic form within 5 days of the date of this order or file a motion under WIS. STAT. RULE 809.19(12)(g) or 809.32(1)(fm) seeking relief from the electronic filing requirement. Failure to file the document in electronic form or to file a motion may result in the imposition of a penalty under WIS. STAT. RULE 809.83(2). See also WIS. STAT. RULE 809.80(5)(b).

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OCCD CA 11-10-2017

Brief & Appx of Appellant(s)

[Brief of Appellant](#)

Filed By: Daniel Key

Comment: 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. Appx to Brief of Appellant(s)

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OCCD CA 10-04-2017

Motion to Extend Time

Filed By: Daniel Key

Submit Date: 10-4-2017

Decision: (G) Grant

WSCCA Case History

Decision Date: 10-6-2017

ORD that the time to file the appellant's brief is hereby extended to November 7, 2017.

See BAP event due on 11-7-2017

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| OCCD CA  | 09-07-2017 | Record                                 |
| Comment: 1-2 to 39-1 (ELECTRONICALLY FILED)  |            |  |
| OCCD CA  | 07-21-2017 | Notif. Sent-Filing of NAP & Ct. Record |
| OCCD CA  | 07-21-2017 | Fee Waived                             |
| Comment: court appointed   |            |  |
| OCCD CA  | 07-21-2017 | Notice of Appeal & Court Record        |
| OCCD CA  | 07-21-2017 | X Transfer                             |
| OCCD CA  | 07-18-2017 | Notice of Appeal filed in Cir. Ct.     |
| OCCD CA  | 05-22-2017 | Court Reporter's Statement-Trans.      |
| Court Reporter Name: (Hobart, Carol)   |            |  |
| OCCD CA  | 05-22-2017 | Statement on Transcript                |
| Filed By: Daniel Key<br>Status: Ordered  |            |  |
| OCCD CA  | 05-18-2017 | Transcript filed in Circuit Court      |
| OCCD CA  | 12-27-2016 | MXT to file Notice of Intent           |
| Filed By: Daniel Key<br>Submit Date: 12-27-2016<br>Decision: (G) Grant<br>Decision Date: 1-12-2017<br>ORD that the defendant's notice of intent to seek postconviction relief, submitted to the circuit court on or about 12/7/16, shall be deemed to have been timely filed as of the date of this order, and any additional deadlines calculated from that event shall be reset accordingly. |            |  |
| OCCD CA  | 10-20-2016 | Judgment of Circuit Court              |