

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Gary Lee Wayerski

Appeal Number 2015AP001083 - CR

Supreme Court

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|-------------|----------------------|---|
| PEND | CA | | 07-28-2015 | Court Reporter's Statement-Trans. Court Reporter Name: (Malsom, Kathy) Comment: DO NOT PURSUE, transcript filed in as part of SUP on 7/16/15 |
| PEND | SC | | 03-11-2019 | Remittitur |
| OCCD | SC | 02-07-2019 | | Opinion/Decision Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Bradley, Kelly, Dallet Opinion: Opinion Decision: Modified and Affirmed. Pages: 32 Written by: Dallet, Rebecca F. Ziegler, Annette K. Wrote Concur/Dissent Opinion 20 pages. Roggensack, Patience Drake Joined Concur/Dissent Opinion Kelly, Daniel Wrote Concur/Dissent Opinion 12 pages. Order Text: The decision of the court of appeals is modified and, as modified, affirmed. |
| OCCD | SC | 02-05-2019 | | Public Domain Citation Comment: PDC No: 2019 WI 11 |
| OCCD | SC | 09-05-2018 | | Oral Argument Comment: 1st case, 9:45 a.m. Attorney Edward J. Hunt for Defendant-Appellant-Petitioner, Attorney Donald V. Latorraca for Plaintiff-Respondent. |
| OCCD | SC | 06-21-2018 | | Briefs Received At State Law Library |
| OCCD | SC | 06-20-2018 | | Motion for Miscellaneous Relief Filed By: Edward Hunt Submit Date: 6-21-2018 Decision: (G) Grant Decision Date: 6-21-2018 ORD that the motion is granted, and the corrected reply brief is accepted for filing. Comment: Motion to File a Corrected Defendant-Appellant-Petitioner's Reply Brief with the Wisconsin Supreme Court |

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| OCCD SC | 06-15-2018 | Reply Brief-Supreme Court Corrected Reply Brief-Supreme Court |
| | Filed By: Edward Hunt Comment: corrected briefs filed 6/21/18 | |
| OCCD SC | 06-13-2018 | Briefs Received At State Law Library |
| OCCD SC | 05-31-2018 | Response Brief-Supreme Court Response Brief-Supreme Court |
| | Filed By: Donald Latorraca | |
| OCCD SC | 05-29-2018 | Assigned-Oral Argument |
| OCCD SC | 04-27-2018 | Motion to Extend Time |
| | Filed By: Donald Latorraca Submit Date: 4-27-2018 Decision: (G) Grant Decision Date: 4-30-2018 ORD that the motion is granted. The response brief of plaintiff-respondent, State of Wisconsin, shall be served and filed on or before 6-1-2018. See BR2 event due on 6-1-2018 | |
| OCCD SC | 04-12-2018 | Response |
| | Comment: 10 addl copies of CA briefs for SC | |
| OCCD SC | 04-12-2018 | First Brief-Supreme Court First Brief-Supreme Court |
| | Filed By: Edward Hunt Comment: Appx to First Brief-Supreme Court | |
| OCCD SC | 03-13-2018 | Caption Amended |
| OCCD SC | 03-13-2018 | Court Changed to Supreme Court |
| OCCD CA | 11-29-2017 | Cites |
| | 905 N.W.2d 843 | |
| OCCD CA | 11-29-2017 | Cites |
| | 378 Wis. 2d 739 | |
| OCCD SC | 11-29-2017 | Fee Waived |
| | Comment: SPD order on file | |
| OCCD SC | 11-29-2017 | Petition for Review |
| | Filed By: Edward Hunt | |

Submit Date: 12-12-2017
Decision: (G) Grant
Decision Date: 3-13-2018
ORD petition for review is granted. Briefs due 30/20/10.
Motion Response
Filed By: Donald Latorraca
Submit Date: 12-12-2017

OCCD CA 11-29-2017 Opinion Ordered Unpublished

OCCD CA 10-31-2017 [Opinion/Decision](#)
Judge Panel: Stark, Hruz, Seidl
Opinion: Opinion
Decision: Affirmed and remanded Pages: 31
Written by: Seidl, Mark A.
Order Text: Judgment and order affirmed and cause affirmed with directions

OCCD CA 12-01-2016 Submitted on Briefs

OCCD CA 07-25-2016 Attorney address updated
Comment: Address changed for attorney: 6290 Edward J. Hunt

OCCD CA 07-12-2016 Briefs Received At State Law Library

OCCD CA 06-27-2016 Motion for Miscellaneous Relief
Filed By: Edward Hunt
Submit Date: 6-28-2016
Decision: (G) Grant
Decision Date: 6-29-2016
ORD that the motion is granted.
Comment: Motion to File Corrected and Amended Reply Brief

OCCD CA 06-27-2016 Record and Briefs Sent to District 3

OCCD CA 06-22-2016 [Reply Brief](#)
[Reply Brief](#)
Filed By: Edward Hunt
Comment: **CORRECTED BRIEF ACCEPTED FOR FILING 6/29/16**; 10 copies of CA brief rec'd for SC 4/12/18

OCCD CA 06-21-2016 Motion to Extend Time
Filed By: Edward Hunt
Submit Date: 6-22-2016
Decision: (O) Other
Decision Date: 6-23-2016
ORD that the time for filing the appellant's reply brief is extended to 5 days from the date of this order.
See BRY event filed on 6-22-2016
Comment: 4th request

OCCD CA 06-20-2016 Motion to Extend Time
Filed By: Edward Hunt
Submit Date: 6-21-2016
Decision: (G) Grant
Decision Date: 6-23-2016
ORD that the time for filing the appellant's reply brief is extended to 5 days from the date of this order.
See BRY event filed on 6-22-2016
Comment: 3rd Request

OCCD CA 06-14-2016 Motion to Extend Time
Filed By: Edward Hunt
Submit Date: 6-15-2016
Decision: (G) Grant
Decision Date: 6-16-2016
ORD that the time for filing the appellant's reply brief is extended to 6/20/16.
See BRY event due on 6-20-2016
Comment: 2nd request

OCCD CA 05-31-2016 Motion to Extend Time
Filed By: Edward Hunt
Submit Date: 5-31-2016
Decision: (G) Grant
Decision Date: 6-2-2016
IT IS ORDERED that the time for filing the appellant's reply brief is extended to June 14, 2016.
See BRY event due on 6-14-2016

OCCD CA 05-13-2016 [Brief of Respondent\(s\)](#)
[Brief of Respondent](#)
Filed By: Donald Latorraca
Comment: 4/12/18 - Rec'd 10 add'l copies of CA briefs for SC

OCCD CA 05-12-2016 Motion to Extend Time
Filed By: Donald Latorraca
Submit Date: 5-12-2016
Decision: (G) Grant
Decision Date: 5-16-2016
ORD that the respondent's brief received on 5/13/16 is accepted for filing.
See BRS event filed on 5-13-2016
Comment: 3rd request

OCCD CA 04-25-2016 Motion to Extend Time
Filed By: Donald Latorraca
Submit Date: 4-26-2016
Decision: (G) Grant
Decision Date: 4-29-2016
IT IS ORDERED that the time for filing the respondent's brief is extended to May 12, 2016.
See BRS event due on 5-12-2016
Comment: 2nd request

OCCD CA 03-28-2016 Motion to Extend Time

Filed By: Donald Latorraca
Submit Date: 3-28-2016
Decision: (G) Grant
Decision Date: 3-30-2016
ORD that time for filing the respondent's brief is extended to 4/27/16.
See BRS event due on 4-27-2016

OCCD CA 03-02-2016 Letter/Correspondence

Comment: from DOJ, Atty Latorraca for Atty Weber

OCCD CA 02-25-2016 Supplement to Record

Comment: 124-1

OCCD CA 02-15-2016 Motion for Miscellaneous Relief

Filed By: Edward Hunt
Submit Date: 2-16-2016
Decision: (G) Grant
Decision Date: 2-18-2016
ORD that the brief and appendix received 2/15/16 is accepted for filing lieu of the briefs received 2/12/16. FRO that the record is corrected to include a 9/17/12 letter from Attorney Lester Liptak to Judge Stewart requesting reconsideration of a previous decision regarding a change of venue. the clerk of the circuit court shall immediately transmit that letter by supplemental return.
Comment: Motion to file a Corrected Defendant-Appellant's Brief

OCCD CA 02-15-2016 Motion for Miscellaneous Relief

Filed By: Edward Hunt
Submit Date: 2-16-2016
Decision: (G) Grant
Decision Date: 2-18-2016
ORD that the brief and appendix received 2/15/16 is accepted for filing lieu of the briefs received 2/12/16. FRO that the record is corrected to include a 9/17/12 letter from Attorney Lester Liptak to Judge Stewart requesting reconsideration of a previous decision regarding a change of venue. the clerk of the circuit court shall immediately transmit that letter by supplemental return.
Comment: Motion to File an Amended and Corrected Appendix

OCCD CA 02-12-2016 Motion to Correct/Supplement Record

Filed By: Edward Hunt
Submit Date: 2-17-2016
Decision: (G) Grant
Decision Date: 2-18-2016
ORD that the brief and appendix received 2/15/16 is accepted for filing lieu of the briefs received 2/12/16. FRO that the record is corrected to include a 9/17/12 letter from Attorney Lester Liptak to Judge Stewart requesting reconsideration of a previous decision regarding a change of venue. the clerk of the circuit court shall immediately transmit that letter by supplemental return.

OCCD CA 02-12-2016 Brief & Appx of Appellant(s)

[Brief of Appellant](#)

Filed By: Edward Hunt

Comment: separate appendix; corrected briefs and appendices accepted for filing per cto 2/18/16 Appx to Brief of Appellant(s); 10 copies of CA brief rec'd for SC 4/12/18

OCCD CA 02-02-2016 Motion to Extend Time
Filed By: Edward Hunt
Submit Date: 2-2-2016
Decision: (G) Grant
Decision Date: 2-5-2016
ORD that time for filing the appellant's brief is extended to 2/12/16.
See BAP event due on 2-12-2016
Comment: 5th request

OCCD CA 01-22-2016 Motion to Extend Time
Filed By: Edward Hunt
Submit Date: 1-25-2016
Decision: (G) Grant
Decision Date: 1-26-2016
ORD that time for filing the appellant's brief is extended to 2/2/16.
See BAP event due on 2-2-2016
Comment: 4th request

OCCD CA 12-07-2015 Motion to Extend Time
Filed By: Edward Hunt
Submit Date: 12-7-2015
Decision: (G) Grant
Decision Date: 12-9-2015
ORD that time for filing the appellant's brief is extended to January 22, 2016.
See BAP event due on 1-22-2016
Comment: 3rd request

OCCD CA 10-13-2015 Motion to Correct/Supplement Record
Filed By: Edward Hunt
Submit Date: 10-29-2015
Decision: (O) Other
Decision Date: 11-5-2015
ORD that the motion to supplement the record is dismissed. FRO that counsel's request to view the content of the sealed envelopes is granted. FRO that the time for filing the appellant's brief is extended to 30 days from the date of this order.
Comment: MXT appellants brief

OCCD CA 08-12-2015 Motion to Extend Time
Filed By: Edward Hunt
Submit Date: 8-12-2015
Decision: (G) Grant
Decision Date: 8-14-2015
ORD that time for filing the appellant's brief is extended to October 13, 2015.
See BAP event due on 10-13-2015

OCCD CA 07-16-2015 Supplement to Record
Comment: Doucment 123 (144 pages)

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| OCCD CA | 07-03-2015 | Sealed Documents |
| | Comment: #22,97 | |
| OCCD CA | 07-03-2015 | Record |
| | Comment: 1-5 to 122-84, separate box | |
| OCCD CA | 06-23-2015 | Other Papers |
| | Comment: Rcd copy of record inspection notice from TC. | |
| OCCD CA | 06-09-2015 | Statement on Transcript |
| | Filed By: Edward Hunt Status: Ordered Comment: 6/9/15 court reporter's portion of SRT sent w/CRS by Court Reporter Becky Thomas to court of appeals re: 1/9/13 proceeding (SRT not yet filed); 6/15/15 rec'd court reporter's portion of SRT from Patricia Sobolewski, indicating copies of 4 proceedings will be sent to the AG w/in 20 days (no mention of filing w/COC) | |
| OCCD CA | 06-02-2015 | Notif. Sent-Filing of NAP & Ct. Record |
| OCCD CA | 06-02-2015 | Fee Waived |
| | Comment: SPD order on file | |
| OCCD CA | 06-02-2015 | Notice of Appeal & Court Record |
| OCCD CA | 06-02-2015 | X Transfer |
| OCCD CA | 05-22-2015 | Notice of Appeal filed in Cir. Ct. |
| OCCD CA | 05-14-2015 | Order of Circuit Court |
| OCCD CA | 04-03-2015 | MXT to Decide Postconviction Motion |
| | Filed By: Edward Hunt Submit Date: 4-3-2015 Decision: (G) Grant Decision Date: 4-7-2015 ORD that the time for deciding the postconviction motion is extended to July 6, 2015. Comment: 4th request | |
| OCCD CA | 02-18-2015 | MXT to Decide Postconviction Motion |
| | Filed By: Edward Hunt Submit Date: 2-19-2015 Decision: (G) Grant Decision Date: 2-20-2015 ORD that the time for deciding the postconviction motion is extended to May 5, 2015. Comment: 3rd request | |

OCCD CA 11-18-2014 MXT to Decide Postconviction Motion
Filed By: Edward Hunt
Submit Date: 11-20-2014
Decision: (G) Grant
Decision Date: 11-24-2014
ORD that the time for deciding the postconviction motion is extended to 2/27/15.
Comment: 2nd request

OCCD CA 10-01-2014 Attorney address updated
Comment: Address changed for attorney: 10832 James M. Peterson

OCCD CA 07-25-2014 MXT to Decide Postconviction Motion
Filed By: Edward Hunt
Submit Date: 7-25-2014
Decision: (G) Grant
Decision Date: 7-28-2014
ORD that the time for deciding the postconviction motion is extended to November 24, 2014.

OCCD CA 04-24-2014 MXT to file NAP/PCM
Filed By: Edward Hunt
Submit Date: 4-25-2014
Decision: (G) Grant
Decision Date: 4-28-2014
ORD that the time for filing the defendant's notice of appeal or postconviction motion is extended to 5/28/14. We anticipate no additional extensions.
Comment: 6th

OCCD CA 03-04-2014 MXT to file NAP/PCM
Filed By: Edward Hunt
Submit Date: 3-5-2014
Decision: (G) Grant
Decision Date: 3-6-2014
ORD that the time for filing the defendant's notice of appeal or postconviction motion is extended to 4/24/14. We anticipate no additional delays.
Comment: 5th request

OCCD CA 01-03-2014 MXT to file NAP/PCM
Filed By: Edward Hunt
Submit Date: 1-6-2014
Decision: (G) Grant
Decision Date: 1-8-2014
ORD that the time for filing the defendant's notice of appeal or postconviction motion is extended to 3/4/14.
Comment: 4th

OCCD CA 11-04-2013 MXT to file NAP/PCM
Filed By: Edward Hunt
Submit Date: 11-4-2013
Decision: (G) Grant
Decision Date: 11-6-2013

ORD that the time for filing the defendant's notice of appeal or postconviction motion is extended to 1/3/14.

Comment: 3rd request

OCCD CA 09-03-2013

MXT to file NAP/PCM

Filed By: Edward Hunt

Submit Date: 9-4-2013

Decision: (G) Grant

Decision Date: 9-5-2013

ORD that the time for filing the defendant's notice of appeal or postconviction motion is extended to November 4, 2013.

Comment: 2nd request

OCCD CA 07-02-2013

MXT to file NAP/PCM

Filed By: Edward Hunt

Submit Date: 7-3-2013

Decision: (G) Grant

Decision Date: 7-8-2013

ORD that the time for filing the defendant's notice of appeal or postconviction motion is extended to 9/3/13.

OCCD CA 01-09-2013

Judgment of Circuit Court
