

# Wisconsin Supreme Court and Court of Appeals Case Access

State v. A. L.

Appeal Number 2016AP000880

**CONFIDENTIAL**  
Supreme Court

## CASE HISTORY

| Status | Court | Filing Date  | Anticipated Due Date | Activity                             |
|--------|-------|--|----------------------|--------------------------------------|
| OCCD   | SC    | 04-10-2019   |                      | Remittitur                           |
| OCCD   | SC    | 03-07-2019   |                      | Cites                                |
|        |       | 385 Wis. 2d 612  |                      |                                      |
| OCCD   | SC    | 03-07-2019   |                      | Cites                                |
|        |       | 923 N.W.2d 827   |                      |                                      |
| OCCD   | SC    | 03-07-2019   |                      | <a href="#">Opinion/Decision</a>     |
|        |       | Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Bradley, Kelly, Dallet  |                      |                                      |
|        |       | Opinion: Opinion   |                      |                                      |
|        |       | Decision: Affirmed Pages: 17   |                      |                                      |
|        |       | Written by: Dallet, Rebecca F.   |                      |                                      |
|        |       | Kelly, Daniel Wrote Concurring Opinion 5 pages.  |                      |                                      |
|        |       | Order Text: The decision of the court of appeals is affirmed.  |                      |                                      |
| OCCD   | SC    | 03-05-2019   |                      | Public Domain Citation               |
|        |       | Comment: PDC No: 2019 WI 20  |                      |                                      |
| OCCD   | SC    | 12-28-2018   |                      | Attorney Change                      |
|        |       | Comment: Per notice of withdrawal withdrew Solicitor General Misha Tseytlin as counsel for the Petitioner-Appellant State of Wisconsin |                      |                                      |
| OCCD   | SC    | 11-05-2018   |                      | Oral Argument                        |
|        |       | Comment: 1st case, 9:45 a.m. Attorney Jorge Fragoso for RES-RES-PET, Attorney Luke N. Berg for PET-APP                                 |                      |                                      |
| OCCD   | SC    | 09-20-2018   |                      | Briefs Received At State Law Library |
| OCCD   | SC    | 09-17-2018   |                      | Certificate of Filing by Mail        |
|        |       | Comment: Reply Brief - 3rd party courier 9/14/18   |                      |                                      |

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| OCCD SC  | 09-17-2018 | Reply Brief-Supreme Court       |
| Filed By: Jorge Fragoso<br>Comment: COM - 3rd party courier 9/14/18  |            |                                 |
| OCCD SC  | 08-31-2018 | Assigned-Oral Argument          |
| OCCD SC  | 08-30-2018 | Response Brief-Supreme Court    |
| Filed By: Misha Tseytlin   |            |                                 |
| OCCD SC  | 07-13-2018 | Certificate of Filing by Mail   |
| Comment: RE Brief of Petitioner: COM/COS mailed 7/11/18  |            |                                 |
| OCCD SC  | 07-13-2018 | First Brief-Supreme Court       |
| Filed By: Jorge Fragoso<br>Comment: Note that the caption has been corrected on this brief. Please use the above caption on all future briefs. Please note that corrections have been made to the brief appendix to maintain confidentiality; see Rule 809.81(8). Appx to First Brief-Supreme Court                            |            |                                 |
| OCCD SC  | 07-12-2018 | Motion to Extend Time           |
| Filed By: Misha Tseytlin<br>Submit Date: 7-13-2018<br>Decision: (G) Grant<br>Decision Date: 7-16-2018<br>ORD the motion is granted. The State's response brief must be filed on or before August 30, 2018.<br>JULY 18, 2018 - AMENDED AS TO ADDRESS LIST<br>See BR1 event filed on 7-13-2018                                   |            |                                 |
| OCCD SC  | 07-12-2018 | Attorney Change                 |
| Comment: Solicitor General Tseytlin and Deputy Solicitor General Berg appear for State per notice of appearance and substitution of counsel  |            |                                 |
| OCCD SC  | 06-11-2018 | Caption Amended                 |
| OCCD SC  | 06-11-2018 | Court Changed to Supreme Court  |
| OCCD SC  | 03-26-2018 | Motion for Miscellaneous Relief |
| Filed By: Donald Latorraca<br>Submit Date: 3-26-2018<br>Decision: (G) Grant<br>Decision Date: 3-27-2018<br>ORD that the petitioner-appellant's motion is granted and petitioner-appellant is directed to file a response to the petition for review on or before April 11, 2018.<br>Comment: ext. time to file response to PRE |            |                                 |
| OCCD CA  | 03-14-2018 | Court Order                     |
| ORD that the petitioner-appellant, State of Wisconsin, is directed to file a response to the petition for  |            |                                 |

review on or before March 28, 2018.

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| OCCD SC  | 12-11-2017 | Letter/Correspondence |
| Comment: State advises it opposes petition for review, will not file formal response unless ordered by court |            |                       |

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| OCCD CA | 12-11-2017 | Final Publication |
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| OCCD CA   | 11-30-2017 | Attorney address updated |
| Comment: Address changed for attorney: 40042 John Richard Breffeilh |            |                          |

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| OCCD CA         | 11-29-2017 | Cites |
| 378 Wis. 2d 721 |            |       |

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| OCCD CA        | 11-29-2017 | Cites |
| 904 N.W.2d 543 |            |       |

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| OCCD CA      | 11-29-2017 | Fee Waived |
| Comment: SPD |            |            |

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| OCCD SC   | 11-29-2017 | Petition for Review |
| Filed By: Jorge Fragoso   |            |                     |
| Submit Date: 12-12-2017   |            |                     |
| Decision: (G) Grant   |            |                     |
| Decision Date: 6-11-2018  |            |                     |
| ORD that the petition for review is granted. Briefs due 30/20/10. |            |                     |
| Motion Response   |            |                     |
| Filed By: Donald Latorraca  |            |                     |
| Submit Date: 4-11-2018  |            |                     |

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| OCCD CA | 11-29-2017 | Opinion Ordered Published |
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| OCCD CA                         | 11-29-2017 | Public Domain Citation |
| Comment: PDC No: 2017 WI App 72 |            |                        |

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| OCCD CA  | 10-31-2017 | <a href="#">Opinion/Decision</a> |
| Judge Panel: Dugan, Brash, Brennan                             |            |                                  |
| Opinion: Opinion   |            |                                  |
| Decision: Reversed and remanded Pages: 15                      |            |                                  |
| Written by: Brash, William W.                                  |            |                                  |
| Order Text: Order reversed and cause remanded with directions. |            |                                  |

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| OCCD CA | 08-21-2017 | Submitted on Briefs |
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| OCCD CA | 03-29-2017 | Briefs Received At State Law Library |
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OCCD CA 03-13-2017 Record and Briefs Sent to District 1

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OCCD CA 03-09-2017 Reply Brief  
Filed By: Donald Latorraca  
Comment: 7/11/18 Rec'd 10 add'l copies of CA briefs for SC

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OCCD CA 02-23-2017 Brief of Respondent(s)  
Filed By: Jorge Fragoso  
Comment: 7/13/18 Recd 10 addl copies of CA briefs for SC

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OCCD CA 02-13-2017 Motion to Extend Time  
Filed By: Jorge Fragoso  
Submit Date: 2-14-2017  
Decision: (G) Grant  
Decision Date: 2-15-2017  
IT IS ORDERED that the time for the respondent to file a respondent's brief is extended to February 17, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).  
See BRS event due on 2-17-2017  
Comment: 3

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OCCD CA 01-12-2017 Motion to Extend Time  
Filed By: Jorge Fragoso  
Submit Date: 1-13-2017  
Decision: (G) Grant  
Decision Date: 1-17-2017  
IT IS ORDERED that the deadline for A. L. to file the respondent's brief in this matter is extended to February 13, 2017.  
See BRS event due on 2-13-2017  
Comment: 2d

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OCCD CA 12-14-2016 Hold Status

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OCCD CA 12-12-2016 Motion to Extend Time  
Filed By: Jorge Fragoso  
Submit Date: 12-13-2016  
Decision: (O) Other  
Decision Date: 12-14-2016  
ORD that the previously imposed stay of briefing is lifted.  
FRO that the deadline for filing the respondent's brief in this matter is extended to January 13, 2017.  
See BRS event due on 11-30-2016

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OCCD CA 12-09-2016 Letter/Correspondence  
Comment: from AAG Latorraca stating no replacement brief will be filed however the State will reply to A. L.'s brief.

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OCCD CA 12-09-2016 Response  
Comment: per 11/28/16 cto State to advise if replacement brief will be filed

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OCCD CA 11-09-2016 Motion for 3-Judge Panel  
Filed By: John Stoiber  
Submit Date: 11-9-2016  
Decision: (G) Grant  
Decision Date: 11-28-2016  
ORD that this appeal shall be decided by a three-judge panel.  
FRO that the State, by the attorney general shall respond as directed herein by December 12, 2016.  
Comment: M3J requested as part of MMS

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OCCD CA 11-09-2016 Motion for Miscellaneous Relief  
Filed By: John Stoiber  
Submit Date: 11-9-2016  
Decision: (G) Grant  
Decision Date: 11-28-2016  
ORD that the deadline for the State to file a motion for a three-judge panel is retroactively extended to November 9, 2016.  
Comment: State's motion to the court to consider the request for a 3-judge panel

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OCCD CA 11-01-2016 Certificate of Filing by Mail  
Comment: BAP

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OCCD CA 10-31-2016 Brief & Appx of Appellant(s)  
Filed By: John Stoiber  
Comment: 7/11/18 Rec'd 10 add'l copies of CA briefs for SC Appx to Brief of Appellant(s)

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OCCD CA 10-11-2016 Attorney Change  
Comment: Added SPD Jorge R. Fragoso as co-counsel with SPD Breffeilh for RES-RES.

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OCCD CA 09-22-2016 Record  
Comment: ELECTRONICALLY FILED; 1-15 to 46-1

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OCCD CA 09-21-2016 Court Reporter's Statement-Trans.  
Court Reporter Name: (Menzia, Kristin)  
Comment: DO NOT PURSUE - TC CLERK ADVISES LAST TRANSCRIPT RECEIVED 9/19/16

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OCCD CA 09-21-2016 Court Reporter's Statement-Trans.  
Court Reporter Name: (Menzia, Kristin)  
Comment: DO NOT PURSUE - TC CLERK ADVISES LAST TRANSCRIPT RECEIVED 9/19/16

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OCCD CA 09-21-2016 Court Reporter's Statement-Trans.  
Court Reporter Name: (Weber, Gloria)  
Comment: DO NOT PURSUE - TC CLERK ADVISES LAST TRANSCRIPT RECEIVED 9/19/16

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OCCD CA 08-24-2016 Court Reporter's Statement-Trans.  
Court Reporter Name: (Miller, Leah)

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| OCCD CA | 08-18-2016   | Delinquent                               |
|         | Comment: New due date of connected CRS: 8-25-2016  |  |
| OCCD CA | 08-01-2016   | Court Reporter's Statement-Trans.        |
|         | Court Reporter Name: (Justman, Kristi)   |  |
| OCCD CA | 07-29-2016   | Transcript filed in Circuit Court        |
| OCCD CA | 07-25-2016   | Court Reporter's Statement-Trans.        |
|         | Court Reporter Name: (Lendowski, Donna)  |  |
| OCCD CA | 07-20-2016   | Transcript filed in Circuit Court        |
| OCCD CA | 07-05-2016   | Statement on Transcript                  |
|         | Filed By: John Stoiber   |  |
|         | Status: Ordered  |  |
|         | Comment: 7/15/16 - CRS - CR Dobbs files/serves 1/10/13 transcript  |  |
| OCCD CA | 06-30-2016   | Motion to Extend Time                    |
|         | Filed By: John Stoiber   |  |
|         | Submit Date: 6-30-2016   |  |
|         | Decision: (G) Grant  |  |
|         | Decision Date: 7-5-2016  |  |
|         | IT IS ORDERED that the deadline for the State to file the statement on transcript is extended to July 11, 2016.                                |  |
|         | See SRT event due on 7-11-2016   |  |
|         | Comment: 2d  |  |
| OCCD CA | 06-24-2016   | Attorney Change                          |
|         | Comment: SPD Breffeilh appointed to appear for respondent-respondent   |  |
| OCCD CA | 06-20-2016   | Motion to Extend Time                    |
|         | Filed By: John Stoiber   |  |
|         | Submit Date: 6-20-2016   |  |
|         | Decision: (G) Grant  |  |
|         | Decision Date: 6-23-2016   |  |
|         | IT IS ORDERED that the appellant shall file a statement on transcript no later than June 30, 2016. See Wis. Stat. Rule 809.82(2)(a) (2013-14). |  |
|         | See SRT event due on 6-30-2016   |  |
| OCCD CA | 06-13-2016   | Notif. Sent-Filing of LVO & Court Record |
| OCCD CA | 06-13-2016   | Copy of CTO Grtg. PLV-from Cir. Ct.      |
| OCCD CA | 06-06-2016   | Copy of CTO Grtg. PLV Filed in Cir. Ct.  |

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OCCD CA 05-02-2016 Fee Waived

Comment: State filed leave.

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OCCD CA 05-02-2016 Petition for Leave to Appeal

Filed By: John Stoiber

Submit Date: 5-9-2016

Decision: (G) Grant

Decision Date: 6-6-2016

ORD that the petition for leave to appeal is granted. Entry of this order has the effect of the filing of a notice of appeal. See Wis. Stat. Rule 809.50(3). A copy of this order has been forwarded to the clerk of the circuit court. Pursuant to Wis. Stat. rule 809.11(2), the clerk shall return this order and the docket entries maintained pursuant to Wis. Stat. 59.40 w/in 3 days of receipt of this order.

Motion Response

Filed By: Robert Mochel

Submit Date: 5-9-2016

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OCCD CA 04-27-2016 Non-Final Order of Circuit Court

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