

Wisconsin Supreme Court and Court of Appeals Case Access

Manitowoc County HSD v. K.H.

Appeal Number 2020AP002150

CONFIDENTIAL

CONSOLIDATED - [List of Consolidated Cases](#)

Court of Appeals District 2

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
PEND	CA		05-28-2021	Invoice Issued
Comment: Invoice No: 19844				
OCCD	CA	06-24-2022		Remittitur
OCCD	CA	05-25-2022		Cites
402 Wis. 2d 309				
OCCD	CA	05-25-2022		Cites
974 N.W.2d 894				
OCCD	CA	05-25-2022		Opinion Ordered Unpublished
Comment: Opinion Ordered Unpublished - Order				
OCCD	CA	05-17-2022		Motion for Reconsideration
Filed By: K. H				
Submit Date: 5-17-2022				
Decision: (D) Deny				
Decision Date: 5-19-2022				
IT IS ORDERED that the motion for reconsideration is denied. WIS. STAT. RULE 809.24(2).				
Comment: Motion for Reconsideration				
OCCD	CA	04-27-2022		Opinion/Decision
Judge Panel: Gundrum				
Opinion: Opinion				
Decision: Affirmed Pages: 7				
Order Text: Orders affirmed				
Comment: Opinion/Decision				
OCCD	CA	03-15-2022		Reply Brief
Filed By: Timothy Provis				

OCCD CA	03-15-2022	Motion for Miscellaneous Relief
<p>Filed By: Timothy Provis Submit Date: 3-15-2022 Decision: (G) Grant Decision Date: 3-16-2022 IT IS ORDERED that the time for the appellant to file a reply brief in 2021AP90-93 is extended to March 16, 2022. See WIS. STAT. RULE 809.82(2)(a) (2019-20). Comment: Motion for Leave to File Reply Brief</p>		
OCCD CA	02-03-2022	Submitted on Briefs
OCCD CA	01-27-2022	Record and Briefs Sent to District 2
OCCD CA	01-07-2022	Consolidated Case
<p>Comment: [2020AP002150, 2021AP000090, 2021AP000091, 2021AP000092, 2021AP000093]</p>		
OCCD CA	01-07-2022	Rejected Electronic Document
<p>Comment: Court Order; The order is rejected.</p>		
OCCD CA	01-05-2022	Sua Sponte
<p>Filed By: Unassigned District 2 Submit Date: 1-5-2022 Decision: (O) Other Decision Date: 1-7-2022 ORD that appeal numbers 2020AP2150, 2021AP90, 2021AP91, 2021AP92 and 2021AP93 are consolidated for purposes of disposition.</p>		
OCCD CA	01-04-2022	Reply Brief
<p>Filed By: Timothy Provis</p>		
OCCD CA	12-20-2021	Rejected Electronic Document
<p>Comment: The respondent's appendix is rejected because it does not comply with confidentiality requirements.</p>		
OCCD CA	12-20-2021	Rejected Electronic Document
<p>Comment: The respondent's brief is rejected because the signatures are improper. Signatures must either be an electronic signature or a scanned/hand written signature. Electronic signatures must say "electronically signed by," followed by the person's name. The /s/ signature is not acceptable.</p>		
OCCD CA	12-20-2021	Brief of Respondent(s)
<p>Filed By: Peter Conrad</p>		
OCCD CA	11-17-2021	Rejected Electronic Document
<p>Comment: The appellant's appendix is rejected because there are confidentiality breaches. Please see Rule 809.19(2)(am).</p>		

OCCD CA 11-17-2021
Filed By: Timothy Provis

Brief & Appx of Appellant(s)

Comment: Amended Appellant Brief per 6/3/21 Order

OCCD CA 11-16-2021

Rejected Electronic Document

Comment: Motion for 3-Judge Panel; The motion is rejected because it must be filed in the circuit court if it has not already been filed with the circuit court. Pursuant to Rule 809.41(1)(a), "If an appellant desires the matter to be decided by a 3-judge panel, the appellant shall file a motion for a 3-judge panel with the notice of appeal as required by s. 809.10(1)(a). Service of the appellant's motion shall be as provided by s. 809.10(1)(h)." There is not statutory provision for an appellant to file a motion for 3-judge panel in an appeal directly with the Court of Appeals. If you have not already done so, please file the motion with the circuit court so that their office may forward the motion to the Court of Appeals.

OCCD CA 11-03-2021

Motion to Extend Time

Filed By: Timothy Provis

Submit Date: 11-3-2021

Decision: (G) Grant

Decision Date: 11-12-2021

ORD that the time to file the appellant's brief is extended to November 17, 2021. Absent extraordinary circumstances, we anticipate no further requests to extend the time to file the appellant's brief.

Motion Response

Filed By: Peter Conrad

Submit Date: 11-3-2021

See BAP event due on 11-17-2021

OCCD CA 10-06-2021

Response

Comment: Filed by Attorney Conrad; in response to motion filed 10/4/21

OCCD CA 10-04-2021

Motion to Extend Time

Filed By: Timothy Provis

Submit Date: 10-4-2021

Decision: (G) Grant

Decision Date: 10-6-2021

ORD that the time for the appellant to file an appellant's brief is extended to November 8, 2021. See WIS. STAT. RULE 809.82(2)(a).

See BAP event due on 11-8-2021

OCCD CA 09-10-2021

Motion for Stay

Filed By: Timothy Provis

Submit Date: 9-10-2021

Decision: (D) Deny

Decision Date: 9-23-2021

ORD that the motion to hold the above appeal in abeyance is denied.

FRO that the appellant shall file an appellant's brief no later than October 7, 2021. See WIS. STAT. RULE 809.82(2)(a).

Motion Response

Filed By: Peter Conrad

Submit Date: 9-21-2021

Comment: of appeal pending circuit court case number 20CF60

OCCD CA 08-18-2021 Supplement to Record
Comment: 211-15 to 212-1 ELECTRONICALLY FILED

OCCD CA 07-21-2021 Motion to Correct/Supplement Record
Filed By: Peter Conrad
Submit Date: 7-21-2021
Decision: (G) Grant
Decision Date: 8-4-2021
ORD that the motion to supplement the record is granted. Within seven days of the date of this order, the circuit court clerk shall transmit the June 4, 2021 permanency plan order as a supplement to the record on appeal.
FRO that the time for the appellant to file the appellant's brief is extended to September 13, 2021.
Motion Response
Filed By: Timothy Provis
Submit Date: 7-30-2021

OCCD CA 07-01-2021 Supplement to Record
Comment: 206-2 to 210-1 ELECTRONICALLY FILED

OCCD CA 06-18-2021 Motion to Correct/Supplement Record
Filed By: Peter Conrad
Submit Date: 6-22-2021
Decision: (G) Grant
Decision Date: 6-28-2021
IT IS ORDERED that the motion to supplement the record is granted. Within seven days of the date of this order, the circuit court clerk shall transmit the three orders identified above as a supplement to the record on appeal.
IT IS FURTHER ORDERED that the parties shall address our jurisdiction to review this appeal in light of the supplemental orders as the first issue in their appellate briefs.
Motion Response
Filed By: Timothy Provis
Submit Date: 6-22-2021

OCCD CA 06-04-2021 Letter/Correspondence
Comment: Filed by Appellant; Letter Requesting Opt-in Code; 6/8/21 - spoke with appellant and advised she cannot opt-in to case as she is represented by an attorney

OCCD CA 06-01-2021 Motion for Miscellaneous Relief
Filed By: Timothy Provis
Submit Date: 6-1-2021
Decision: (G) Grant
Decision Date: 6-3-2021
IT IS ORDERED that the appellant shall file an amended appellant's brief by no later than August 2, 2021.
Motion Response
Filed By: Peter Conrad
Submit Date: 6-2-2021
Motion Response
Filed By: Timothy Provis
Submit Date: 6-3-2021
Comment: Motion to file Amended Appellant's Brief

OCCD CA	06-01-2021	Notice of Appearance
	Comment: Attorney Provis for appellant per notice of appearance	
OCCD CA	05-19-2021	Response
	Comment: Filed by Appellant; Response to Cert. of Service filed by Corp. Counsel	
OCCD CA	05-18-2021	Other Papers
	Comment: Filed by Attorney Gerleman; Copy of Circuit Court Motion to Dismiss Order for Contempt	
OCCD CA	05-12-2021	Certificate of Service
	Comment: re Motion filed 4/20/21	
OCCD CA	05-12-2021	Affidavit of No Service filed
	Comment: Filed by appellant; Affidavit of No Service re MXT Filed 4/20/21	
OCCD CA	04-20-2021	Motion to Extend Time
	<p>Filed By: Peter Conrad Submit Date: 4-20-2021 Decision: (G) Grant Decision Date: 4-21-2021 ORD that the time for the respondent to file its brief is extended to July 12, 2021. See WIS. STAT. RULE 809.82(2)(a). See BRS event due on 7-12-2021</p>	
OCCD CA	04-20-2021	Letter/Correspondence
	Comment: Filed by Attorney Conrad; Letter Requesting Conversion to Electronic Appeal	
OCCD CA	04-20-2021	Rejected Electronic Document
	<p>Comment: Motion for Extension; This appeal is not currently a part of the efilng pilot program. As such, all filings with the court of appeals must be sent by traditional methods and signed by the party or attorney. If a request is received to convert the appeal to an electronic appeal, at that time, filings can be submitted electronically and it will not be necessary to file paper copies of documents. For more information regarding the pilot program, please see the Court's Website (https://www.wicourts.gov/ecourts/efileappellate/index.jsp). In the meantime, if you have not done so, please forward paper copies of the motion by traditional methods to the Clerk's Office for filing.</p>	
OCCD CA	04-13-2021	Brief & Appx of Appellant(s)
	<p>Filed By: K. H</p> <p>Comment: Note that the caption has been corrected on this brief. 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. Note that the district number has been corrected on all briefs. Please use this number on all future correspondence. Please note that the title of this brief has been corrected. Please be advised briefs and appendices must comply with Wis. Stat. Rule 809.19(8)(4) regarding being properly bound. Please note that the binding method used on the brief had to be corrected by Clerk's Office staff. AMENDED BRIEF TO BE FILED PER 6/3/21 CTO</p>	

OCCD CA 03-05-2021

Sua Sponte

Filed By: Unassigned District 2

Submit Date: 3-5-2021

Decision: (O) Other

Decision Date: 3-24-2021

IT IS ORDERED that the appellant's appendix is rejected for filing.

IT IS FURTHER ORDERED that on or before April 16, 2021, the appellant shall file three copies of a corrected appendix and serve one copy on opposing counsel. If the appendix does not comply with WIS. STAT. RULE 809.19 or orders of this court, the appeal may be dismissed.

IT IS FURTHER ORDERED that the superfluous photographs, documents, and USB thumbdrives submitted by K.H. will not be considered by this court and will be returned to K.H.

Comment: Sua Sponte - Brief and Appendix of appellant, pictures filed with BAP, USB drives filed with BAP, and extra documents filed with BAP

OCCD CA 02-22-2021

Motion for Stay

Filed By: K. H

Submit Date: 2-22-2021

Decision: (D) Deny

Decision Date: 2-26-2021

IT IS ORDERED that the motion to stay circuit court proceedings is denied.

IT IS ORDERED that K.H. shall comply with the service requirements previously imposed by this court.

IT IS FURTHER ORDERED that all documents filed and served in this court must be signed with K.H.'s handwritten initials to preserve confidentiality.

Comment: Motion for Stay of Appeal Pending Circuit Court Proceedings

OCCD CA 02-12-2021

Sua Sponte

Filed By: Unassigned District 2

Submit Date: 2-12-2021

Decision: (O) Other

Decision Date: 2-15-2021

ORD that the appellant's brief and appendix are rejected for filing.

FRO that on or before March 11, 2021, the appellant shall file three copies of the appellant's brief and appendix, and serve one copy on opposing counsel. If the brief and appendix do not comply with WIS. STAT. RULE 809.19 or orders of this court, the appeal may be dismissed.

Comment: Sua Sponte - Corrected brief and appendix of appellant Sua Sponte - Appendix - Appellant's Brief

OCCD CA 02-04-2021

Sua Sponte

Filed By: Unassigned District 2

Submit Date: 2-4-2021

Decision: (O) Other

Decision Date: 2-9-2021

ORD that the appellant's brief and appendix is rejected for filing.

FRO that on or before March 11, 2021, the appellant shall file three copies of the appellant's brief and appendix, and serve one copy on opposing counsel. If the brief does not comply with WIS. STAT. RULE 809.19 or orders of this court, the appeal may be dismissed.

Comment: Brief of Appellant, accept?

OCCD CA 01-27-2021

Court Order

ORD that the motion to consolidate is denied.

FRO that future filings in this court must comply with the Rules of Appellate Procedure with regard to confidentiality and a primary electronic mail address.

FRO that all documents filed in this court must state that they have been served on the opposing party.
See MCS event filed on 1-15-2021

OCCD CA	01-15-2021	Motion to Consolidate
Filed By: K. H Submit Date: 1-21-2021 Decision: (O) Other Decision Date: 1-27-2021 See Court Order Issued 1/27/21. This motion contains court order(s). Comment: [2020AP002150, 2021AP000090, 2021AP000091, 2021AP000092, 2021AP000093, 2021AP000107, 2021AP000108, 2021AP000109] Motion to Consolidate		

OCCD CA	01-11-2021	Supplement to Record
Comment: 191-1 to 205-1 ELECTRONICALLY FILED Supplement to Record Filing Notice		

OCCD CA	01-07-2021	Motion for Miscellaneous Relief
Filed By: K. H Submit Date: 1-7-2021 Decision: (D) Deny Decision Date: 1-8-2021 ORD that the motion for summary disposition is denied. Comment: Motion to Amend Case and Request to Return Children		

OCCD CA	01-06-2021	Court Order
ORD that the appeal is taken from the December 7, 2020 permanency plan order and the notice of appeal filed December 15, 2020 shall also serve as the notice of intent to pursue postdisposition relief under WIS. STAT. RULE 809.30. FRO that K.H. shall file a properly signed amended notice of appeal with the clerk of the circuit court by January 19, 2021, or the appeal will be dismissed. FRO that if a signed notice of appeal is filed, the requirement of WIS. STAT. RULE 809.11(2) of transmittal of the notice and circuit court record of the case is waived; it is only necessary for the clerk of the circuit court to forward the signed notice of appeal to this court by supplemental record return within five days of its filing. Comment: 1/6/21 Court Order		

OCCD CA	01-05-2021	Sealed Documents
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OCCD CA	01-05-2021	Record
Comment: 1-9 to 190-1 ELECTRONICALLY FILED Record Filing Notice		

OCCD CA	12-29-2020	Notif. Sent-Filing of NAP & Ct. Record
Comment: Notif. Sent-Filing of NAP & Ct. Record		

OCCD CA	12-29-2020	RAP and Guide Sent
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OCCD CA	12-29-2020	X Transfer
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OCCD CA	12-28-2020	Notice of Appeal & Court Record
Comment: Notice of Appeal & Court Record		
OCCD CA	12-15-2020	Notice of Appeal filed in Cir. Ct.
OCCD CA	12-07-2020	Order of Circuit Court
OCCD CA	12-02-2020	Indig. Forms/Motion filed by pro se
Filed By: K. H Submit Date: 12-29-2020 Decision: (G) Grant Decision Date: 1-4-2021 ORD that the court grants permission to proceed without payment of the filing fee. This order waives only the filing fees in the Court of Appeals. It is not a determination of indigency for any other purpose. Indigency may be reevaluated if a request is received for waiver of other fees based on indigency.		
OCCD CA	12-02-2020	Statement on Transcript
Filed By: K. Status H: Prev. Filed Comment: Statement on Transcript Circuit Court Transcript Invoice for Transcript		
OCCD CA	12-02-2020	Miscellaneous Motion on XX-Case
Filed By: K. H Submit Date: 12-3-2020 Decision: (N) No Action Decision Date: 12-7-2020 ORD that no action is taken on the motions for miscellaneous relief. Comment: Request to Stay Med. Auth.; 12/4/20 - duplicate copy filed		
OCCD CA	12-02-2020	Miscellaneous Motion on XX-Case
Filed By: K. H Submit Date: 12-3-2020 Decision: (N) No Action Decision Date: 12-7-2020 ORD that no action is taken on the motions for miscellaneous relief. Motion Response Filed By: K. H Submit Date: 12-4-2020 Comment: Request for Hearing if Med. Auth. is Needed; 12/4/20 - statement in support filed		
OCCD CA	12-02-2020	Miscellaneous Motion on XX-Case
Filed By: K. H Submit Date: 12-3-2020 Decision: (N) No Action Decision Date: 12-7-2020 ORD that no action is taken on the motions for miscellaneous relief. Comment: Request for Order to DHS to have to File a Motion if Med. Auth. is Necessary		
OCCD CA	11-24-2020	Other Papers

WSCCA Case History

Comment: Copy of Medical Auth.

OCCD CA 11-16-2020 Letter/Correspondence
Comment: To respondent; Letter requesting Original Petition for Fee Waiver

OCCD CA 11-16-2020 Other Papers
Comment: Copy of Notice of Intent
