

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Daimon Von Jackson, Jr.

Appeal Number 2019AP002383 - CR

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
PEND	SC			Awaiting Opinion/Decision
OCCD	SC	11-29-2022		Oral Argument Comment: 1st case, 9:45 a.m. (Capitol SC Hearing Room). Melinda A. Swartz for Defendant-Appellant-Petitioner. Lisa E.F. Kumfer for Plaintiff-Respondent.
OCCD	SC	11-09-2022		Letter/Correspondence Comment: Cover Letter to Reply Brief-Supreme Court
OCCD	SC	11-08-2022		Reply Brief-Supreme Court Reply Brief-Supreme Court Filed By: Melinda Swartz
OCCD	SC	11-03-2022		Letter/Correspondence Comment: Cover Letter to Motion to Extend Time (BR3)
OCCD	SC	11-03-2022		Motion to Extend Time Filed By: Melinda Swartz Submit Date: 11-4-2022 Decision: (G) Grant Decision Date: 11-4-2022 IT IS ORDERED that the motion for an extension of time is granted. See BR3 event due on 11-9-2022 Comment: Motion to Extend Time (BR3) 11/04/2022 Court Order
OCCD	SC	10-27-2022		Letter/Correspondence Comment: Cover Letter to BR2
OCCD	SC	10-27-2022		Response Brief-Supreme Court Response Brief-Supreme Court Filed By: Lisa Kumfer

OCCD SC	10-13-2022	Supplement to Record
Comment: ELECTRONICALLY FILED		
OCCD SC	10-10-2022	Letter/Correspondence
Comment: Cover Letter to Reply to Response to Motion to Correct/Supplement the Record		
OCCD SC	10-10-2022	Response
Comment: Petitioner's Reply to State's Response to Motion to Correct/Supplement the Record		
OCCD SC	10-05-2022	Court Order
IT IS ORDERED that, on or before October 10, 2022, defendant-appellant-petitioner, Daimon Von Jackson, shall file a reply to the State's response. No extension of this deadline will be granted.		
Comment: 10/05/2022 Court Order		
OCCD SC	10-04-2022	Letter/Correspondence
Comment: Cover Letter to State's Response to Motion to Supplement the Record		
OCCD SC	10-04-2022	Response
Comment: State's Response to Motion to Correct/Supplement the Record		
OCCD SC	10-03-2022	Court Order
IT IS ORDERED that plaintiff-respondent, State of Wisconsin, shall file a written response to this motion by no later than October 7, 2022.		
Comment: 10/03/2022 Court Order		
OCCD SC	09-30-2022	Letter/Correspondence
Comment: Cover Letter to First Brief - Supreme Court		
OCCD SC	09-30-2022	Motion to Correct/Supplement Record
Filed By: Melinda Swartz		
Submit Date: 9-30-2022		
Decision: (G) Grant		
Decision Date: 10-13-2022		
IT IS ORDERED that the motion to supplement the record is granted. The clerk of circuit court shall immediately transmit record numbers 41 and 44, described above, by supplemental return; and		
IT IS FURTHER ORDERED that the States response brief shall be filed by October 27, 2022, and that Mr. Jackson shall either file a reply brief or a statement that no reply brief will be filed by November 7, 2022. With a firm oral argument date of November 29, 2022, there is no time available for additional extensions, so none will be granted.		
Motion Response		
Filed By: Lisa Kumfer		
Submit Date: 10-4-2022		
Motion Response		
Filed By: Melinda Swartz		
Submit Date: 10-10-2022		

Comment: Motion to Correct/Supplement Record; Response to Motion to Correct/Supplement Record; Petitioner's Reply to State's Response to Motion to Correct/Supplement Record; 10/13/2022 Court Order

OCCD SC 09-30-2022 First Brief-Supreme Court
[First Brief - Supreme Court](#)
Filed By: Melinda Swartz

OCCD SC 09-29-2022 Letter/Correspondence
Comment: Cover Letter to Motion to Extend Time (BR1, 4)

OCCD SC 09-29-2022 Motion to Extend Time
Filed By: Melinda Swartz
Submit Date: 9-30-2022
Decision: (G) Grant
Decision Date: 9-30-2022
IT IS ORDERED that the motion is granted.
See BR1 event due on 9-29-2022
Comment: Motion to Extend Time (BR1, 4); 09/30/2022 Court Order

OCCD SC 09-19-2022 Letter/Correspondence
Comment: Cover Letter to Motion to Extend Time (BR1 3)

OCCD SC 09-19-2022 Motion to Extend Time
Filed By: Melinda Swartz
Submit Date: 9-19-2022
Decision: (G) Grant
Decision Date: 9-21-2022
IT IS ORDERED that the motion for an extension of time is granted. The defendant-appellant-petitioner's initial brief shall be served and filed on or before September 29, 2022. In light of the approaching November 29, 2022 oral argument date, absolutely no further extensions for defendant-appellant-petitioner will be considered or granted.
See BR1 event due on 9-29-2022
Comment: Motion to Extend Time (BR1 3) 09-21-2022 Court Order

OCCD SC 08-26-2022 Assigned-Oral Argument

OCCD SC 08-25-2022 Letter/Correspondence
Comment: Cover Letter to Motion to Extend Time (BR1 2)

OCCD SC 08-25-2022 Motion to Extend Time
Filed By: Melinda Swartz
Submit Date: 8-25-2022
Decision: (G) Grant
Decision Date: 8-26-2022
IT IS ORDERED that the motion for an extension of time is granted. The defendant-appellant-petitioner's initial brief shall be served and filed on or before September 19, 2022.

This is the final extension of time that will be granted to defendant-appellant-petitioner.
See BR1 event due on 9-19-2022
Comment: Motion to Extend Time (BR1 2) 0-8-26-2022 Court Order

OCCD SC 08-11-2022 Supplement to Record
Comment: ELECTRONICALLY FILED

OCCD SC 06-23-2022 Letter/Correspondence
Comment: Cover Letter to Motion to Correct/Supplement Record and Extend Time (BR1 2)

OCCD SC 06-23-2022 Motion to Correct/Supplement Record
Filed By: Melinda Swartz
Submit Date: 6-23-2022
Decision: (G) Grant
Decision Date: 7-25-2022
IT IS ORDERED that the motion to supplement the record is granted. The clerk of circuit court shall immediately transmit record Item #183, Exhibits 1-5 by supplemental return; and,
IT IS FURTHER ORDERED that the motion for an extension of time is also granted. The defendant-appellant-petitioner's initial brief shall be served and filed on or before August 26, 2022.
Comment: Motion to Correct/Supplement Record and Extend Time (BR1 2) 07/25/2022 Court Order

OCCD SC 04-08-2022 Letter/Correspondence
Comment: Cover Letter to Motion to Extend Time (BR1)

OCCD SC 04-08-2022 Motion to Extend Time
Filed By: Melinda Swartz
Submit Date: 4-8-2022
Decision: (G) Grant
Decision Date: 4-11-2022
IT IS ORDERED that the motion is granted. Defendant-appellant-petitioner's initial brief shall be served and filed on or before June 24, 2022.
See BR1 event due on 6-24-2022
Comment: Motion to Extend Time (BR1) 04-11-2022 Court Order

OCCD SC 04-07-2022 Notice of Appearance
Comment: Attorney Melinda A. Swartz for the Petitioner

OCCD SC 03-28-2022 Received SPD Appointment Order
Comment: Attorney Melinda A. Swartz

OCCD SC 03-21-2022 Court Changed to Supreme Court

OCCD SC 01-28-2022 Fee Waived
Comment: SPD appointed

OCCD SC 01-28-2022 Petition for Review
[Response to Petition for Review](#)

[Petition for Review](#)

Filed By: Parker Mathers
Submit Date: 2-14-2022
Decision: (G) Grant
Decision Date: 3-21-2022

IT IS ORDERED that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6), the defendant-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 defendant-appellant-petitioner must file a brief in this court; that within 20 days of filing the plaintiff-respondent, State of Wisconsin, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the plaintiff-respondent, within 10 days of filing the defendant-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, if a party has not previously filed an electronic copy of the briefs filed on behalf of that party in the court of appeals, the party, within 30 days after the date of this order, must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; but if the party has already filed an electronic copy of such briefs, then there is no obligation to provide additional copies of those briefs to the clerk of this court; and

IT IS FURTHER ORDERED that the allowance of costs, if any, in connection with the granting
Comment: Cover Letter to Response to Petition for Review 03-21-2022 Order

OCCD CA 01-27-2022
970 N.W.2d 571

Cites

OCCD CA 01-27-2022
400 Wis. 2d 542

Cites

OCCD CA 01-27-2022
Comment: Opinion Ordered Unpublished - Order

Opinion Ordered Unpublished

OCCD CA 12-29-2021
Judge Panel: Grogan, Neubauer, Reilly
Opinion: Opinion
Decision: Affirmed Pages: 33
Written by: Grogan, Shelley A.
Reilly, Paul F. Wrote Dissenting Opinion 17 pages.
Order Text: Judgment and order affirmed.
Comment: 12/29/21 Decision

[Opinion/Decision](#)

OCCD CA 08-17-2021

Submitted on Briefs

OCCD CA 02-11-2021

Record and Briefs Sent to District 2

OCCD CA 02-10-2021

Rejected Electronic Document

Comment: The e-filed reply brief is rejected because it is missing the e-filing pilot program certification found at this link: <https://www.wicourts.gov/ecourts/efileappellate/faq.htm>. The brief needs to contain both the certification found at the link and the form and length certification pursuant to Rule 809.19(8)(d). Please also note that since this appeal is part of the e-filing pilot program, paper copies do not need to be sent to the Clerk's office.

OCCD CA 02-10-2021

Reply Brief
[Reply Brief](#)

Filed By: Parker Mathers

OCCD CA 02-02-2021

Motion to Extend Time

Filed By: Parker Mathers

Submit Date: 2-3-2021

Decision: (G) Grant

Decision Date: 2-4-2021

ORD that the time for the appellant to file a reply brief is extended to February 9, 2021. See WIS. STAT. RULE 809.82(2)(a).

See BRY event due on 2-9-2021

OCCD CA 01-11-2021

Motion to Extend Time

Filed By: Parker Mathers

Submit Date: 1-12-2021

Decision: (G) Grant

Decision Date: 1-13-2021

ORD that the time for the appellant to file his reply brief is extended to January 26, 2021. See WIS. STAT. RULE 809.82(2)(a).

See BRY event due on 1-26-2021

OCCD CA 12-28-2020

Motion to Extend Time

Filed By: Parker Mathers

Submit Date: 12-28-2020

Decision: (G) Grant

Decision Date: 12-29-2020

IT IS ORDERED that the time for the appellant to file a reply brief is extended to January 11, 2021. See WIS. STAT. RULE 809.82(2)(a).

Motion Response

Filed By: Parker Mathers

Submit Date: 1-26-2021

See BRY event due on 1-26-2021

OCCD CA 12-09-2020

Brief of Respondent(s)
[Brief of Respondent](#)

Filed By: Lisa Kumfer

OCCD CA 12-04-2020

Briefs Received At State Law Library

OCCD CA 11-03-2020

Motion to Extend Time

Filed By: Lisa Kumfer

Submit Date: 11-3-2020

Decision: (G) Grant
Decision Date: 11-4-2020
ORD that the time for the respondent to file its brief is extended to December 9, 2020. See WIS. STAT. RULE 809.82(2)(a).
See BRS event due on 12-9-2020

OCCD CA 10-20-2020 Notice of Appearance
Comment: AAG Kumfer for State per Notice of Appearance

OCCD CA 10-08-2020 Brief & Appx of Appellant(s)
[Brief of Appellant](#)
Filed By: Parker Mathers

OCCD CA 09-29-2020 Delinquency Motion
Filed By: Unassigned District 2
Submit Date: 9-29-2020
Decision: (O) Other
Decision Date: 10-1-2020
ORD that by October 8, 2020, the appellant's brief must be filed. If the brief is not filed by this date, appointed counsel for the appellant, Attorney Parker Mathers, will be fined \$25 per day for each day that the brief was not filed, retroactive to the date of this order. WIS. STAT. RULE 809.83(2). Counsel must submit payment of the accrued penalty when filing the appellants brief or the brief will not be accepted for filing.
See BAP event due on 8-28-2020
Comment: 10-01-20 Order

OCCD CA 09-09-2020 Delinquent
Comment: New due date of connected BAP: 9-16-2020; Delinquent BAP

OCCD CA 08-11-2020 Motion to Extend Time
Filed By: Parker Mathers
Submit Date: 8-12-2020
Decision: (G) Grant
Decision Date: 8-14-2020
ORD that the time for filing the appellant's brief is extended to August 28, 2020. See WIS. STAT. RULE 809.82(2)(a).
See BAP event due on 8-28-2020
Comment: 5th

OCCD CA 06-29-2020 Motion to Extend Time
Filed By: Parker Mathers
Submit Date: 6-30-2020
Decision: (G) Grant
Decision Date: 7-2-2020
ORD that the time for the appellant to file an appellant's brief is extended to August 7, 2020. See WIS. STAT. RULE 809.82(2)(a) (2017-18).
See BAP event due on 8-7-2020
Comment: 4th

OCCD CA 06-08-2020 Motion to Extend Time

Filed By: Parker Mathers

Submit Date: 6-9-2020

Decision: (G) Grant

Decision Date: 6-11-2020

ORD that the time for the appellant to file his appellant's brief is extended to June 29, 2020. See WIS. STAT. RULE 809.82(2)(a).

See BAP event due on 6-29-2020

OCCD CA 05-28-2020 Motion for Miscellaneous Relief

Filed By: Daimon Jackson

Submit Date: 5-28-2020

Decision: (O) Other

Decision Date: 6-1-2020

ORD that no further action is taken on the appellant's pro se motion to appoint substitute counsel.

Comment: Motion for Substitution of Counsel

OCCD CA 03-23-2020 Motion to Extend Time

Filed By: Parker Mathers

Submit Date: 3-23-2020

Decision: (G) Grant

Decision Date: 4-17-2020

ORD that the time to file the appellant's brief is extended to June 9, 2020.

See BAP event due on 6-9-2020

OCCD CA 03-05-2020 Motion to Extend Time

Filed By: Parker Mathers

Submit Date: 3-6-2020

Decision: (G) Grant

Decision Date: 3-9-2020

ORD that the time for the appellant to file his appellant's brief is extended to March 23, 2020. See Wis. Stat. Rule 809.82(2)(a).

See BAP event due on 3-23-2020

Comment: Motion not signed; 3/6/20 - signed copy filed

OCCD CA 01-22-2020 Sealed Documents

Comment: PSI #28

OCCD CA 01-22-2020 Record

Comment: 1-3 to 79-1; ELECTRONICALLY FILED; Record Filing Notice

OCCD CA 01-02-2020 Statement on Transcript

Filed By: Parker Mathers

Status: Prev. Filed

Comment: Statement on Transcript

OCCD CA 12-19-2019 Notif. Sent-Filing of NAP & Ct. Record

Comment: Notif. Sent-Filing of NAP & Ct. Record

OCCD CA 12-19-2019 Fee Waived

Comment: SPD appointed

OCCD CA	12-19-2019	Notice of Appeal & Court Record
Comment: Transmittal of Notice of Appeal & Court Record		

OCCD CA	12-19-2019	X Transfer
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OCCD CA	12-12-2019	Notice of Appeal filed in Cir. Ct.
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OCCD CA	12-12-2019	MXT to file NAP/PCM
Filed By: Parker Mathers		
Submit Date: 12-12-2019		
Decision: (G) Grant		
Decision Date: 12-19-2019		
ORD that the time for filing a Wis. Stat. Rule 809.30 postconviction motion is extended to November 9, 2018.		
FRO that the time for deciding the defendant's postconviction motion is extended to November 15, 2019. See Wis. Stat. Rule 809.82(2)(a).		
FRO that the time for filing a notice of appeal is extended to December 12, 2019.		
Comment: MXT to file NAP/PCM; 12/19/19 Court Order		

OCCD CA	11-15-2019	Order of Circuit Court
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OCCD CA	06-27-2019	Attorney address updated
Comment: Address changed for attorney: 39047 Parker Mathers		

OCCD CA	01-08-2018	Received SPD Appointment Order
Comment: Attorney Parker Mathers; Received SPD Appointment Order		

OCCD CA	11-29-2017	Court Order
ORD that the motion to reinstate the Wis. Stat. Rule 809.30 appeal rights is held in abeyance pending receipt of an affidavit of service from Attorney Hailstock. The affidavit of service shall be filed with the clerk of this court no later than 12/6/17.		
See XNI event filed on 10-18-2017		
Comment: 11/29/17 Court Order		

OCCD CA	10-18-2017	MXT to file Notice of Intent
Filed By: Eric Hailstock		
Submit Date: 10-18-2017		
Decision: (G) Grant		
Decision Date: 12-11-2017		
ORD that the Wis. Stat. Rule 809.30 appeal rights are reinstated. The time for filing a notice of intent to pursue postconviction relief is extended to October 10, 2017. See Wis. Stat. Rule 809.82(2)(a).		
FRO that the time to act under either Wis. Stat. Rule 809.30(2)(e) or (f) commences as of the date of this order.		
Motion Response		
Filed By: Daimon Jackson		
Submit Date: 10-26-2017		
Motion Response		

WSCCA Case History

Filed By: Eric Hailstock

Submit Date: 12-6-2017

This motion contains court order(s).

Comment: original copy received via US Mail 10/24/17; Affidavit of service filed 12/6/17.

OCCD CA 06-13-2017

Judgment of Circuit Court
