

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Theophilous Ruffin

Appeal Number 2019AP001046 - CR

Supreme Court

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	07-06-2022		Remittitur
OCCD	SC	05-26-2022		Cites
		401 Wis. 2d 619		
OCCD	SC	05-26-2022		Cites
		974 N.W.2d 432		
OCCD	SC	05-26-2022		Opinion/Decision
		Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky		
		Opinion: Opinion		
		Decision: Reversed Pages: 19		
		Written by: Bradley, Ann Walsh		
		Order Text: THE DECISION OF THE COURT OF APPEALS IS REVERSED.		
OCCD	SC	05-25-2022		Public Domain Citation
		Comment: PDC No: 2022 WI 34		
OCCD	SC	04-05-2022		Oral Argument
		Comment: 1st case, 9:45 a.m. (in the Capitol Hearing Room). Jennifer L. Vandermeuse for Plaintiff-Respondent-Petitioner. Nicole M. Masnica for Defendant-Appellant		
OCCD	SC	02-23-2022		Assigned-Oral Argument
OCCD	SC	12-14-2021		Reply Brief-Supreme Court
		Filed By: Jennifer Vandermeuse		
OCCD	SC	11-30-2021		Response Brief-Supreme Court
				Response Brief Supreme Court - BR2
OCCD	SC	11-15-2021		Motion to Extend Time
		Filed By: Nicole Masnica		

Submit Date: 11-15-2021

Decision: (G) Grant

Decision Date: 11-17-2021

IT IS ORDERED that the motion is granted. Defendant-appellant-respondent's response brief shall be filed on or before November 29, 2021.

See BR2 event due on 11-29-2021

OCCD SC	10-28-2021	Letter/Correspondence
Comment: letter rcv'd from PLA-RES-PET that issue in this case is similar to those in 2018AP942-CR, State v. Spencer, should the court wish to schedule the two cases oral arguments on the same day SC Order		

OCCD SC	10-26-2021	Rejected Electronic Document
Comment: Duplicate - Appendix - Petition for Review. In consolidated cases it is only necessary to file documents once using the lowest case number. There is no response required to this rejection.		

OCCD SC	10-26-2021	First Brief-Supreme Court First Brief Supreme Court - BR1
Comment: Separate appendix.		

OCCD SC	10-04-2021	Letter/Correspondence
Comment: Cover Letter - Motion for Extension of Time to file BR1		

OCCD SC	10-04-2021	Motion to Extend Time
Filed By: Jennifer Vandermeuse Submit Date: 10-5-2021 Decision: (G) Grant Decision Date: 10-6-2021 IT IS ORDERED that the motion is granted. Plaintiff-respondent-petitioner's opening brief shall be filed on or before October 26, 2021. See BR1 event due on 10-26-2021		

OCCD SC	09-23-2021	Notice of Appearance
Comment: AAG Vandermeuse appears for State per ltr. of representation		

OCCD SC	09-23-2021	Letter/Correspondence
Comment: Atty. Masnica advises dates she is unavailabe for oral argument (1/3/22 through 1/21/22)		

OCCD SC	09-17-2021	Caption Amended
Comment: SC Order 9/17/21		

OCCD SC	09-17-2021	Court Changed to Supreme Court
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OCCD CA	04-28-2021	Cites
397 Wis. 2d 242		

OCCD CA	04-28-2021	Cites
959 N.W.2d 77		
OCCD CA	04-28-2021	Opinion Ordered Unpublished
OCCD SC	04-21-2021	Letter/Correspondence
Comment: Atty Masnica response to State's petition for review		
OCCD CA	04-20-2021	Certificate of Filing by Mail
Comment: State's letter in response to Def-App petition for review		
OCCD SC	04-20-2021	Letter/Correspondence
Comment: AAG Barber advises state opposes review of issues raised by Def-App, will not file further response unless ordered to by the court		
OCCD CA	04-09-2021	Fee Paid
Comment: Receipt No: 21R 000792		
OCCD SC	04-08-2021	Fee Waived
Comment: AG's Office		
OCCD SC	04-08-2021	Petition for Review
<p>Filed By: Timothy Barber Submit Date: 4-21-2021 Decision: (G) Grant Decision Date: 9-17-2021 ORD that the petition for review filed on behalf of defendant-appellant-petitioner, Theophilous Ruffin, is denied; FRO that the petition for review filed by plaintiff-respondent-petitioner, State of Wisconsin, is granted; that pursuant to Wis. Stat. (Rules) 809.62(6) and 809.63, within 30 days after the date of this order plaintiff-respondent-petitioner must file a brief in this court; that within 20 days of filing, defendant-appellant, Theophilous Ruffin, must file either a responsive brief or a statement that no brief will be filed; and that if a brief is filed by defendant-appellant, within 10 days of filing plaintiff-respondent-petitioner must file either a reply brief or a statement that no reply brief will be filed; and FRO that pursuant to Wis. Stat. 809.62(6), the parties may only raise or argue issues set forth in the State's petition for review unless otherwise ordered by the court; and FRO 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 FRO 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 FRO 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 FRO that the allowance of co Comment: PLA-RES's; 4/20/21 ltr. response from Atty. Masnica</p>		

OCCD CA	04-08-2021	Rejected Electronic Document
Comment: Two electronic versions of the petition for review appendix were uploaded for an unknown reason. This version is being rejected to avoid duplicity in the electronic document queue for this case.		
OCCD CA	04-08-2021	Rejected Electronic Document
Comment: Two electronic versions of the petition for review were uploaded for an unknown reason. This version is being rejected to avoid duplicity in the electronic document queue for this case.		
OCCD SC	04-08-2021	Petition for Review
<p>Filed By: Nicole Masnica Submit Date: 4-21-2021 Decision: (D) Deny Decision Date: 9-17-2021 ORD that the petition for review filed on behalf of defendant-appellant-petitioner, Theophilous Ruffin, is denied; FRO that the petition for review filed by plaintiff-respondent-petitioner, State of Wisconsin, is granted; that pursuant to Wis. Stat. (Rules) 809.62(6) and 809.63, within 30 days after the date of this order plaintiff-respondent-petitioner must file a brief in this court; that within 20 days of filing, defendant-appellant, Theophilous Ruffin, must file either a responsive brief or a statement that no brief will be filed; and that if a brief is filed by defendant-appellant, within 10 days of filing plaintiff-respondent-petitioner must file either a reply brief or a statement that no reply brief will be filed; and FRO that pursuant to Wis. Stat. 809.62(6), the parties may only raise or argue issues set forth in the State's petition for review unless otherwise ordered by the court; and FRO 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 FRO 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 FRO 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 FRO that the allowance of cos Comment: DEF-APP' 4/21/21 ltr. response received by State</p>		
OCCD CA	03-22-2021	Received SPD Appointment Order
Comment: Received SPD Appointment Order for Atty. Nicole M. Masnica		
OCCD CA	03-09-2021	Opinion/Decision
<p>Judge Panel: White, Dugan, Brash Opinion: Opinion Decision: Affirmed/reversed/remanded Pages: 22 Written by: Dugan, Timothy G. White, Maxine A. Wrote Concur/Dissent Opinion 4 pages. Order Text: Order affirmed in part; reversed in part and cause remanded with directions</p>		
OCCD CA	01-22-2021	Notice of Appearance
Comment: AAG Barber appears for the State		

OCCD CA	06-29-2020	Submitted on Briefs
OCCD CA	04-23-2020	Briefs Received At State Law Library
OCCD CA	03-09-2020	Record and Briefs Sent to District 1
OCCD CA	03-06-2020	Certificate of Filing by Mail
	Comment: BRY (Shipped March 5, 2020)	
OCCD CA	03-06-2020	Reply Brief Reply Brief
	Filed By: Christopher Sobic	
OCCD CA	03-03-2020	Motion to Extend Time
	Filed By: Christopher Sobic	
	Submit Date: 3-3-2020	
	Decision: (G) Grant	
	Decision Date: 3-5-2020	
	ORD that the deadline for Ruffin to file his reply brief in this matter is extended to March 13, 2020.	
	See BRY event due on 3-13-2020	
OCCD CA	02-12-2020	Motion to Extend Time
	Filed By: Christopher Sobic	
	Submit Date: 2-12-2020	
	Decision: (G) Grant	
	Decision Date: 2-13-2020	
	ORD that the deadline for Ruffin to file a reply brief is extended through March 3, 2020. See Wis. Stat. Rule 809.82(2)(a) (2017-18).	
	See BRY event due on 3-3-2020	
OCCD CA	01-13-2020	Motion to Extend Time
	Filed By: Christopher Sobic	
	Submit Date: 1-13-2020	
	Decision: (G) Grant	
	Decision Date: 1-15-2020	
	ORD that the deadline for Ruffin to file a reply brief is extended through February 12, 2020. See Wis. Stat. Rule 809.82(2)(a) (2017-18).	
	See BRY event due on 2-12-2020	
OCCD CA	12-13-2019	Motion to Extend Time
	Filed By: Christopher Sobic	
	Submit Date: 12-13-2019	
	Decision: (G) Grant	
	Decision Date: 12-17-2019	
	ORD that the deadline for Ruffin to file a reply brief is extended through January 13, 2020. See Wis. Stat. Rule 809.82(2)(a) (2017-18).	
	See BRY event due on 1-13-2020	

OCCD CA 11-21-2019 Brief of Respondent(s)
Filed By: Katherine Lloyd

OCCD CA 11-18-2019 Notice of Appearance
Comment: filed by SPD Christopher D. Sobic

OCCD CA 10-30-2019 Motion to Extend Time
Filed By: Katherine Lloyd
Submit Date: 10-30-2019
Decision: (G) Grant
Decision Date: 11-1-2019
ORD that the time for the respondent to file a respondent's brief is extended to November 21, 2019. See Wis. Stat. Rule 809.82(2)(a) (2017-18).
See BRS event due on 11-21-2019

OCCD CA 10-18-2019 Motion to Extend Time
Filed By: Katherine Lloyd
Submit Date: 10-21-2019
Decision: (G) Grant
Decision Date: 10-22-2019
ORD that the time for the respondent to file a respondent's brief is extended to November 4, 2019. See Wis. Stat. Rule 809.82(2)(a) (2017-18).
See BRS event due on 11-4-2019

OCCD CA 09-18-2019 Motion to Extend Time
Filed By: Katherine Lloyd
Submit Date: 9-18-2019
Decision: (G) Grant
Decision Date: 9-19-2019
ORD that the time for the respondent to file a respondent's brief is extended to October 18, 2019. See Wis. Stat. Rule 809.82(2)(a) (2017-18).
See BRS event due on 10-18-2019

OCCD CA 08-26-2019 Attorney Change
Comment: AAG Lloyd appears for State per ltr. of representation

OCCD CA 08-19-2019 Certificate of Service
Comment: Re: BAP; Rcvd 10 copies of briefs, third party comm. carrier, 08-16-2019.

OCCD CA 08-19-2019 Brief & Appx of Appellant(s)
[Brief of Appellant](#)
Filed By: Nicole Masnica

OCCD CA 08-05-2019 Motion to Extend Time
Filed By: Nicole Masnica
Submit Date: 8-6-2019
Decision: (G) Grant
Decision Date: 8-7-2019

ORD that the time for the appellant to file an apepllant's brief is extended until August 16, 2019. See Wis. Stat. Rule 809.82(2)(a) (2017-18).
See BAP event due on 8-16-2019

OCCD CA	06-26-2019	Non-Electronic Record Item
Comment: #5 DVD #6 DVD-Forensic Interview		

OCCD CA	06-25-2019	Sealed Documents
Comment: #17-20, #24		

OCCD CA	06-25-2019	Record
Comment: 1-2 to 78-1, ELECTRONICALLY FILED		

OCCD CA	06-17-2019	Statement on Transcript
Filed By: Nicole Masnica Status: Prev. Filed		

OCCD CA	06-10-2019	Notif. Sent-Filing of NAP & Ct. Record
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OCCD CA	06-10-2019	Fee Waived
Comment: SPD		

OCCD CA	06-10-2019	Notice of Appeal & Court Record
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OCCD CA	06-10-2019	X Transfer
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OCCD CA	06-05-2019	Notice of Appeal filed in Cir. Ct.
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OCCD CA	05-01-2019	MXT to file NAP/PCM
Filed By: Nicole Masnica Submit Date: 5-1-2019 Decision: (G) Grant Decision Date: 5-2-2019 IT IS ORDERED that the deadline for Ruffin to file a supplemental postconviction motion or notice of appeal is extended to thirty days after the date on which the supreme court issues a decision in State v. Trammell, appeal No. 2017AP1206-CR.		

OCCD CA	11-21-2018	MXT to file NAP/PCM
Filed By: Nicole Masnica Submit Date: 11-21-2018 Decision: (G) Grant Decision Date: 11-29-2018 ORD that the deadline for Rubbin to file a supplemental postconviction motion or notice of appeal in this matter is extended to May 1, 2019. See Wis. Stat. Rule 809.82(2)(a) (2015-16).		

OCCD CA	11-02-2018	Order of Circuit Court
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OCCD CA 09-17-2018 MXT to file NAP/PCM
Filed By: Nicole Masnica
Submit Date: 9-17-2018
Decision: (G) Grant
Decision Date: 9-19-2018
IT IS ORDERED that the deadline for Ruffin to file a postconviction motion or notice of appeal is extended through October 17, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

OCCD CA 07-17-2018 MXT to file NAP/PCM
Filed By: Nicole Masnica
Submit Date: 7-17-2018
Decision: (G) Grant
Decision Date: 7-19-2018
ORD that the time for filing a notice of appeal or postconviction motion is extended to September 17, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

OCCD CA 05-18-2018 MXT to file NAP/PCM
Filed By: Nicole Masnica
Submit Date: 5-18-2018
Decision: (G) Grant
Decision Date: 5-21-2018
ORD that the deadline for Ruffin to file a postconviction motion or a notice of appeal is extended through July 17, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

OCCD CA 03-19-2018 MXT to file NAP/PCM
Filed By: Nicole Masnica
Submit Date: 3-19-2018
Decision: (G) Grant
Decision Date: 3-21-2018
IT IS ORDERED that the deadline for Ruffin to file a postconviction motion or a notice of appeal is extended through May 18, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

OCCD CA 01-08-2018 MXT to file NAP/PCM
Filed By: Erin Deeley
Submit Date: 1-8-2018
Decision: (G) Grant
Decision Date: 1-10-2018
IT IS ORDERED that the deadline for Ruffin to file a postconviction motion or notice of appeal in this matter is extended to March 9, 2018.

OCCD CA 08-11-2017 MXT to file Transcript
Filed By: Katherine Nelson
Submit Date: 8-14-2017
Decision: (G) Grant
Decision Date: 8-14-2017
IT IS ORDERED that the deadline for Court Reporter Nelson to file transcripts in this matter is extended through October 16, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

OCCD CA 08-10-2017 MXT to file Transcript

Filed By: Leposava Munns

Submit Date: 8-10-2017

Decision: (G) Grant

Decision Date: 8-14-2017

IT IS ORDERED that the deadline for Court Reporter Munns to file transcripts in this matter is extended through October 16, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).

OCCD CA 07-31-2017

MXT to file Transcript

Filed By: Phyllis Peoples

Submit Date: 7-31-2017

Decision: (G) Grant

Decision Date: 8-1-2017

ORD that the deadline for Peoples to file her transcripts in this matter is extended to October 2, 2017.

OCCD CA 03-01-2017

Judgment of Circuit Court
