

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Dale R. Delvoye**

**Appeal Number 2017AP000833 - CR**

**Court of Appeals District 3**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	11-13-2018		Remittitur
OCCD	CA	08-29-2018		Cites
		918 N.W.2d 643		
OCCD	CA	08-29-2018		Cites
		383 Wis. 2d 785		
OCCD	CA	08-29-2018		Opinion Ordered Unpublished
OCCD	SC	08-02-2018		Fee Paid
		Comment: Receipt No: 18R 001964		
OCCD	SC	08-02-2018		Petition for Review
		Filed By: Dennis Melowski		
		Submit Date: 8-7-2018		
		Decision: (D) Deny		
		Decision Date: 11-13-2018		
		ORD that the petition for review is denied, without costs.		
		Motion Response		
		Filed By: Clayton Kawski		
		Submit Date: 8-7-2018		
OCCD	CA	07-03-2018		<a href="#">Opinion/Decision</a>
		Judge Panel: Hruz		
		Opinion: Opinion		
		Decision: Affirmed Pages: 9		
		Order Text: Judgment affirmed		
OCCD	CA	02-12-2018		Briefs Received At State Law Library
OCCD	CA	02-05-2018		Submitted on Briefs

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OCCD CA 01-29-2018 Rejected Electronic Document  
Comment: The electronic version of the Reply brief lists an incorrect district number on the brief cover. Corrections to the cover have been made by clerk's office staff on the hardcopies of the brief. Please upload a corrected electronic version of the brief and notify clerk's office staff by calling 608-266-1880 when done so that it may be accepted for filing. Failure to notify may result in delayed acceptance of the corrected e-document.

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OCCD CA 01-29-2018 Record and Briefs Sent to District 3

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OCCD CA 01-26-2018 Certificate of Filing by Mail  
Comment: BRY-IB 01/24/18

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OCCD CA 01-26-2018 Reply Brief  
[Reply Brief](#)  
Filed By: Dennis Melowski  
Comment: Note that the district number has been corrected on all briefs. Please use this number on all future correspondence.

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OCCD CA 01-08-2018 Rejected Electronic Document  
Comment: The electronic version of the Appendix to the Respondent's brief is rejected for lack of appendix certifications pursuant to Rules 809.19(3)(b) and (13)(f). You are not required to electronically file appendices, therefore, no further action is required in response to this email.

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OCCD CA 01-05-2018 Brief of Respondent(s)  
[Brief of Respondent](#)  
Filed By: Eric Enli  
Comment: Please note an appendix certification has been added to this brief. See Rule 809.19(2) regarding requirements. Appx to Brief of Respondent(s)

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OCCD CA 11-21-2017 Motion to Extend Time  
Filed By: Eric Enli  
Submit Date: 11-21-2017  
Decision: (G) Grant  
Decision Date: 11-24-2017  
ORD that time for filing the respondent's brief is extended to 1/5/18.  
See BRS event due on 1-5-2018

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OCCD CA 10-30-2017 Rejected Electronic Document  
Comment: The electronic version of the Appellants' brief lists an incorrect district number on the brief cover. Corrections to the cover have been made by clerk's office staff on the hardcopies of the brief. Please upload a corrected electronic version of the brief and notify clerk's office staff by calling 608-266-1880 when done so that it may be accepted for filing. Failure to notify may result in delayed acceptance of the corrected e-document.

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OCCD CA 10-30-2017 Rejected Electronic Document  
Comment: The electronic version of the Appellants' brief lists an incorrect district number on the brief

cover. Corrections to the cover have been made by clerk's office staff on the hardcopies of the brief. Please upload a corrected electronic version of the brief and notify clerk's office staff by calling 608-266-1880 when done so that it may be accepted for filing. Failure to notify may result in delayed acceptance of the corrected e-document.

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OCCD CA 10-26-2017 Certificate of Filing by Mail  
Comment: BAP-IB 10/24/17

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OCCD CA 10-26-2017 Brief & Appx of Appellant(s)  
[Brief of Appellant](#)  
Filed By: Dennis Melowski

Comment: AMENDED: Note that the district number has been corrected on all briefs. Please use this number on all future correspondence. Appx to Brief of Appellant(s)

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OCCD CA 09-15-2017 Sealed Documents  
Comment: #33-15

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OCCD CA 09-15-2017 Record  
Comment: 1-3 to 66-1

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OCCD CA 08-03-2017 Motion to Extend Time  
Filed By: John VanderLeest  
Submit Date: 8-3-2017  
Decision: (G) Grant  
Decision Date: 8-4-2017  
ORD that the time for transmitting the record is extended to 9-12-2017. No additional extensions will be granted.  
See REC event due on 9-12-2017  
Comment: 3rd request

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OCCD CA 07-03-2017 Motion to Extend Time  
Filed By: John VanderLeest  
Submit Date: 7-3-2017  
Decision: (G) Grant  
Decision Date: 7-5-2017  
ORD that the time for transmitting the record is extended to 8-14-2017.  
See REC event due on 8-14-2017  
Comment: 2nd request

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OCCD CA 06-01-2017 Motion to Extend Time  
Filed By: John VanderLeest  
Submit Date: 6-1-2017  
Decision: (G) Grant  
Decision Date: 6-2-2017  
ORD that the time for transmitting the record is extended to 7-12-2017.  
See REC event due on 7-12-2017

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OCCD CA 05-08-2017 Notif. Sent-Filing of NAP & Ct. Record

OCCD CA	05-08-2017	Fee Paid
	Comment: Receipt No: 17R 001003	
OCCD CA	05-08-2017	Notice of Appeal & Court Record
OCCD CA	05-08-2017	X Transfer
OCCD CA	05-01-2017	Statement on Transcript
	Filed By: Dennis Melowski Status: Ordered	
OCCD CA	05-01-2017	Notice of Appeal filed in Cir. Ct.
OCCD CA	03-21-2017	Response
	Comment: From DA per cto 3/6/17 (DA shall respond to Delvoyes motion to stay his sentence pending appeal, including a discussion of the likelihood of success on the merits of an appeal)	
OCCD CA	03-20-2017	Response
	Comment: From Delvoye per cto 3/6/17 (defendant shall provide this court with the transcript of any proceeding in the circuit court regarding his request to stay the sentence pending appeal); copy of transcript received 3/20/17	
OCCD CA	03-17-2017	Court Reporter's Statement-Trans.
	Court Reporter Name: (Burton, Heather)	
OCCD CA	03-17-2017	Other Papers
	Comment: CRS filed by H. Burton	
OCCD CA	03-16-2017	Transcript filed in Circuit Court
OCCD CA	03-06-2017	Court Order
	ORD that the remainder of Delvoyes sentence, including the imposition of a thirteen-month license revocation, is stayed pending further order of this court. FRO that within fourteen days of the date of this order, Delvoye shall provide this court with the transcript of any proceeding in the circuit court regarding his request to stay the sentence pending appeal. FRO that within fourteen days of the date of this order, the District Attorneys Office shall respond to Delvoyes motion to stay his sentence pending appeal, including a discussion of the likelihood of success on the merits of an appeal. See State v. Salmon, 163 Wis. 2d 369, 374-75, 471 N.W.2d 286 (Ct. App. 1991).	
OCCD CA	03-03-2017	Miscellaneous Motion on XX-Case
	Filed By: Dennis Melowski Submit Date: 3-3-2017 Decision: (D) Deny Decision Date: 3-22-2017 ORD that the temporary stay of Delvoye's sentence is lifted. FRO that the motion for a permanent stay	

WSCCA Case History

pending appeal is denied.

Comment: Emergency Request for Stay of Sentence Pending Appeal Pursuant to WIS. STAT.  
808.07(2)(a)1

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OCCD CA 02-14-2017 Other Papers

Comment: Received copy of motion for stay filed in circuit court.

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OCCD CA 02-08-2017 Miscellaneous Motion on XX-Case

Filed By: Dennis Melowski

Submit Date: 2-8-2017

Decision: (D) Deny

Decision Date: 2-9-2017

ORD that the motion is denied.

Comment: Motion for Stay of Sentence pending Appeal

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OCCD CA 01-27-2017 Judgment of Circuit Court

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