

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Brian A. Barwick

Appeal Number 2017AP000958 - CR

CONSOLIDATED - [List of Consolidated Cases](#)
Court of Appeals District 1

CASE HISTORY

| Status | Court | Filing Date | Anticipated Due Date | Activity |
|--------|-------|--|----------------------|----------------------------------|
| OCCD | CA | 01-15-2019 | | Remittitur |
| OCCD | CA | 10-31-2018 | | Published Opinion Citation |
| | | 921 N.W.2d 532 | | |
| OCCD | CA | 10-31-2018 | | Published Opinion Citation |
| | | 384 Wis. 2d 414 | | |
| OCCD | CA | 10-31-2018 | | Opinion Ordered Unpublished |
| OCCD | SC | 10-11-2018 | | Letter/Correspondence |
| | | Comment: State advises it opposes the petition for review, will not file formal response unless ordered by court | | |
| OCCD | SC | 10-05-2018 | | Fee Waived |
| | | Comment: SPD | | |
| OCCD | SC | 10-05-2018 | | Petition for Review |
| | | Filed By: James Walrath Submit Date: 10-12-2018 Decision: (D) Deny Decision Date: 1-15-2019 ORD that the petition for review is denied, without costs. REBECCA FRANK DALLET, J., did not participate. | | |
| OCCD | CA | 09-05-2018 | | Opinion/Decision |
| | | Judge Panel: Brash, Brennan, Kessler Opinion: Opinion Decision: Affirmed Pages: 21 Written by: Kessler, Joan F. Order Text: Judgments and order affirmed | | |

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| OCCD CA | 05-01-2018 | Submitted on Briefs |
| OCCD CA | 04-20-2018 | Briefs Received At State Law Library |
| OCCD CA | 03-27-2018 | Record and Briefs Sent to District 1 |
| OCCD CA | 03-26-2018 Comment: BRY | Certificate of Filing by Mail |
| OCCD CA | 03-26-2018 Filed By: James Walrath | Reply Brief Reply Brief |
| OCCD CA | 03-07-2018 Filed By: James Walrath Submit Date: 3-8-2018 Decision: (G) Grant Decision Date: 3-9-2018 ORD that the deadline for Barwick to file a reply brief is extended through March 26, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16). See BRY event due on 3-26-2018 Comment: 2 | Motion to Extend Time |
| OCCD CA | 02-28-2018 Comment: filed by the State. | Additional Authorities |
| OCCD CA | 02-09-2018 Filed By: James Walrath Submit Date: 2-12-2018 Decision: (G) Grant Decision Date: 2-13-2018 ORD that the time for the appellant to file the reply brief is extended to March 15, 2018. See Wis. Stat. Rule 809.82(2)(a) (2015-16). See BRY event due on 3-15-2018 | Motion to Extend Time |
| OCCD CA | 02-07-2018 Filed By: Jeffrey Kassel | Brief of Respondent(s) Brief of Respondent |
| OCCD CA | 01-03-2018 Filed By: Jeffrey Kassel Submit Date: 1-3-2018 Decision: (G) Grant Decision Date: 1-5-2018 IT IS ORDERED that the deadline for the State to file the respondent's brief in these matters is extended to February 7, 2018. See BRS event due on 2-7-2018 | Motion to Extend Time |

OCCD CA 11-17-2017

Motion to Extend Time

Filed By: Jeffrey Kassel
Submit Date: 11-20-2017
Decision: (G) Grant
Decision Date: 11-21-2017

ORD that the deadline for the State to file the respondent's brief in these matters is extended to January 8, 2018.
See BRS event due on 1-8-2018

OCCD CA 11-16-2017

Order

A paper copy of the appellants brief and appendix has been filed by the appellants attorney. Attorney Walrath provided numerous redacted replacement pages for insertion into the brief and appendix by court staff. This document has not been properly filed in electronic form as required by WIS. STAT. RULE 809.19(12) or 809.32(1)(fm). Counsel shall file a corrected copy of the document in electronic form within 5 days of the date of this order. Failure to file the corrected document in electronic form may result in the imposition of a penalty under WIS. STAT. RULE 809.83(2). See also WIS. STAT. RULE 809.80(5)(b).

OCCD CA 11-08-2017

Response

Comment: per 10/30/17 cto - new BAP's or redacted pages supplies; rcvd. numerous pages to be inserted in applnt. brief and appendix. Pages 11, 15, 16, 18, 19, 22, 23, 33,22, 41 and 42 in brief; pages 101, 102, 103, 105, 107, 108, 109, 114, 128 and 138; Insertion completed 11/13/17 - BRS due date adjusted

OCCD CA 10-17-2017

Motion for Miscellaneous Relief

Filed By: James Walrath
Submit Date: 10-17-2017
Decision: (D) Deny
Decision Date: 10-30-2017

ORD that the motion for an order excusing failure to comply with Wis. Stat. Rule 809.86 is denied. FRO that Attorney James A Walrath shall, no later than 10 days from the date of this order, submit copies of an appellant's brief and appendix that have been properly redacted or, in the alternative, he may submit copies of redacted pages to be inserted by the clerk of this court into the briefs and appendices Walrath already submitted.
Comment: Motion to excuse non-compliance with Wis. Stat. Rule 809.86

OCCD CA 10-16-2017

Attorney Change

Comment: Added AAG Jeffrey J. Kassel as counsel for the State per filing of notice of appearance.

OCCD CA 10-09-2017

Brief & Appendix of Appellant(s)
[Brief of Appellant](#)

Filed By: James Walrath

Comment: Separate Appendix Appx to Brief of Appellant(s)

OCCD CA 10-04-2017

Motion to Extend Time

Filed By: James Walrath
Submit Date: 10-4-2017
Decision: (G) Grant
Decision Date: 10-6-2017

IT IS ORDERED that the time for the appellant to file an appellant's brief is extended until October 10, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).
See BAP event due on 10-10-2017
Comment: 4

OCCD CA 09-19-2017 Motion to Extend Time
Filed By: James Walrath
Submit Date: 9-20-2017
Decision: (G) Grant
Decision Date: 9-21-2017
ORD that the deadline for Barwick to file his appellant's brief and appendix is extended to October 5, 2017.
See BAP event due on 10-5-2017
Comment: 3

OCCD CA 09-08-2017 Motion to Extend Time
Filed By: James Walrath
Submit Date: 9-11-2017
Decision: (G) Grant
Decision Date: 9-12-2017
ORD that the deadline for Bariwck to file his appellant's brief and appendix in these matters is extended to September 25, 2017.
See BAP event due on 9-25-2017

OCCD CA 07-12-2017 Motion to Extend Time
Filed By: James Walrath
Submit Date: 7-13-2017
Decision: (G) Grant
Decision Date: 7-17-2017
ORD that the time for the appellant to file an appellant's brief is extended until September 15, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16).
See BAP event due on 9-15-2017

OCCD CA 07-07-2017 Record
Comment: ELECTRONICALLY FILED; 1-1 to 56-74

OCCD CA 06-02-2017 Consolidated Case
Comment: [2017AP000958, 2017AP000959, 2017AP000960, 2017AP000961]

OCCD CA 06-02-2017 Court Order for 3-Judge Panel

OCCD CA 06-02-2017 Statement on Transcript
Filed By: James Walrath
Status: Prev. Filed

OCCD CA 06-01-2017 Motion to Consolidate
Filed By: James Walrath
Submit Date: 6-1-2017
Decision: (G) Grant

Decision Date: 6-2-2017

ORD that appeal Nos. 2017AP958-CR, 2017AP959-CR, 2017AP960-CR and 2017AP961-CR are consolidated for briefing and disposition purposes.

FRO that the consolidated appeals shall be decided by a three-judge panel.

Comment: [2017AP000958, 2017AP000959, 2017AP000960, 2017AP000961]

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| OCCD CA | 05-25-2017 | Notif. Sent-Filing of NAP & Ct. Record |
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| OCCD CA | 05-25-2017 | Fee Waived |
| | Comment: SPD appointed | |

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| OCCD CA | 05-25-2017 | State Public Defender Order Appointing Counsel |
| | Comment: in transmittal | |

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| OCCD CA | 05-25-2017 | Notice of Appeal & Circuit Court Docket Entries |
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| OCCD CA | 05-25-2017 | X Transfer |
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| OCCD CA | 05-22-2017 | Notice of Appeal filed in Circuit Court |
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| OCCD CA | 05-08-2017 | Order of Circuit Court |
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| OCCD CA | 03-29-2017 | Mot. Extend Time to file NAP/PCM |
| | Filed By: James Walrath | |
| | Submit Date: 3-30-2017 | |
| | Decision: (G) Grant | |
| | Decision Date: 3-31-2017 | |
| | ORD that the time for filing a notice of appeal or postconviction motion is extended to May 3, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16). | |
| | Comment: 4 | |

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| OCCD CA | 03-16-2017 | Mot. Extend Time to file NAP/PCM |
| | Filed By: James Walrath | |
| | Submit Date: 3-16-2017 | |
| | Decision: (G) Grant | |
| | Decision Date: 3-17-2017 | |
| | IT IS ORDERED that the time for filing a notice of appeal or postconviction motion is extended to April 3, 2017. See Wis. Stat. Rule 809.82(2)(a) (2015-16). | |
| | Comment: 3 | |

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| OCCD CA | 01-24-2017 | Mot. Extend Time to file NAP/PCM |
| | Filed By: James Walrath | |
| | Submit Date: 1-24-2017 | |
| | Decision: (G) Grant | |
| | Decision Date: 1-26-2017 | |
| | IT IS ORDERED that the deadline for Barwick to file a postconviction motion or notice of appeal in these matters is extended to March 20, 2017. | |
| | Comment: 2d | |

OCCD CA 11-21-2016

Mot. Extend Time to file NAP/PCM

Filed By: James Walrath

Submit Date: 11-22-2016

Decision: (G) Grant

Decision Date: 11-23-2016

ORD that the deadline for Barwick to file a postconviction motion or notice of appeal in these matters is extended to February 3, 2017.

OCCD CA 06-28-2016

Judgment of Circuit Court
