

Wisconsin Supreme Court and Court of Appeals Case Access

Portage County DH&HS v. A. K.

Appeal Number 2022AP000030

CONFIDENTIAL

Court of Appeals District 4

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
PEND	CA			Awaiting Assignment
OCCD	CA	09-28-2022		Cites 404 Wis. 2d 567
OCCD	CA	09-28-2022		Opinion Ordered Unpublished Comment: Opinion Ordered Unpublished - Order
OCCD	SC	09-16-2022		Petition for Review Petition for Review (Untimely) Filed By: Jill Vento Submit Date: 9-16-2022 Decision: (M) Dismiss Decision Date: 9-20-2022 IT IS ORDERED that the petition for review is dismissed. Moreover, there is no proper paper filing before this court that could be construed as a petition for habeas corpus. See State ex rel. Schmelzer V. Murphy, 201 Wis. 2d 246, 548 N.W.2d 45 91996). Comment: Untimely 9-20-2022 Order
OCCD	CA	09-15-2022		Rejected Electronic Document Comment: An appendix to the petition for review from the court of appeals' 8-11-2022 decision was electronically submitted to the clerks office on 8-30-2022. Pursuant to S. Ct. Order 19-02A and 20-07A, 2021 WI 62 (June 15, 2021, eff. July 1, 2021) and Appendix A thereto (Revised Interim Rule Beginning July 1, 2021) the supreme court continues to require the filing of paper documents and traditional methods of service for proceedings in the supreme court, including the filing of multiple bound copies of briefs, appendices, and petitions for review. No timely paper petition for review has been received in the office of the clerk of the supreme court, and therefore no petition for review was timely filed pursuant to 808.10 and 809.62(1m), Stats., and First Wisconsin National Bank of Madison v. Nicholaou, 87 Wis. 2d 360, 274 N.W.2d 704 (1979). The electronically submitted appendix to petition for review is hereby rejected.
OCCD	CA	09-15-2022		Rejected Electronic Document Comment: A petition for review from the court of appeals' 8-11-2022 decision was electronically submitted to the clerks office on 8-30-2022. Pursuant to S. Ct. Order 19-02A and 20-07A, 2021 WI 62

(June 15, 2021, eff. July 1, 2021) and Appendix A thereto (Revised Interim Rule Beginning July 1, 2021) the supreme court continues to require the filing of paper documents and traditional methods of service for proceedings in the supreme court, including the filing of multiple bound copies of briefs, appendices, and petitions for review. No timely paper petition for review has been received in the office of the clerk of the supreme court, and therefore no petition for review was timely filed pursuant to 808.10 and 809.62(1m), Stats., and First Wisconsin National Bank of Madison v. Nicholaou, 87 Wis. 2d 360, 274 N.W.2d 704 (1979). The electronically submitted petition for review is hereby rejected.

OCCD CA 09-15-2022

Remittitur

OCCD CA 09-02-2022

Sua Sponte

Filed By: Unassigned District 4

Submit Date: 9-2-2022

Decision: (O) Other

Decision Date: 9-7-2022

IT IS ORDERED that the court will take no action on the current filing.

OCCD CA 08-31-2022

Letter/Correspondence

Comment: Letter to Court of Appeals from Attorney Jill Vento

OCCD CA 08-11-2022

[Opinion/Decision](#)

Judge Panel: Nashold

Opinion: Opinion

Decision: Affirmed Pages: 6

Order Text: Order affirmed

Comment: Opinion/Decision

OCCD CA 07-22-2022

Briefs Sent to District

OCCD CA 07-22-2022

Reply Brief

Filed By: Jill Vento

OCCD CA 07-20-2022

Rejected Electronic Document

Comment: The Reply Brief is rejected because the brief exceeds the page limit from rule 809.19(8)(c)1, which outlines the length for a reply brief with monospaced font.

OCCD CA 07-19-2022

Record and Briefs Sent to District 4

OCCD CA 07-13-2022

Rejected Electronic Document

Comment: 1. The brief is rejected because it is improperly titled, as a reply brief. Please submit a new brief with the proper title on the cover and Efiled as the appropriate document. 2. Attorney Wunderlin's name is misspelled. 3. The E-signatures cannot be accepted as written, E-signatures must state "electronically signed by:" see rule 809.801(12)(a). 4. The Certificate of Form and Length is missing a rule, briefs also must conform to rule 809.19(8)(bm), see rule 809.19(8g)(a) for reference.

OCCD CA 07-13-2022

Brief of Respondent(s)

Filed By: Brianna Sweeney

OCCD CA 06-29-2022 Motion to Extend Time
Filed By: Brianna Sweeney
Submit Date: 6-29-2022
Decision: (G) Grant
Decision Date: 6-30-2022
IT IS ORDERED that the time to file the respondents brief is extended to July 12, 2022.
Motion Response
Filed By: Jill Vento
Submit Date: 6-29-2022
See BRS event due on 7-12-2022

OCCD CA 06-28-2022 Notice of Appearance
Comment: Brianna Sweeney for Respondent

OCCD CA 06-20-2022 Rejected Electronic Document
Comment: Brief of Appellant; This brief is rejected as it does not comply with confidentiality requirements; see Rule 809.81(8). The appellant must be addressed by initials only. The name of the appellant cannot be mentioned in the brief. Review page ii, footnotes page 3, page 30.

OCCD CA 06-20-2022 Brief & Appx of Appellant(s)
[Brief of Appellant](#)
Filed By: Jill Vento

OCCD CA 06-17-2022 Rejected Electronic Document
Comment: This appendix is rejected as it does not comply with confidentiality requirements; see Rule 809.81(8). Review page 30 of the appendix (App. 128).

OCCD CA 06-17-2022 Rejected Electronic Document
Comment: This brief is rejected as it does not comply with confidentiality requirements; see Rule 809.81(8). The appellant must be addressed by initials only. The name of the appellant cannot be mentioned in the brief. Review footnotes 1, 9, and 24 and pages 7 and 10.

OCCD CA 06-16-2022 Rejected Electronic Document
Comment: (Rejection 2 of 2) - "part 6" - The appendix to the Appellants brief has been uploaded in multiple parts and cannot be accepted in this fashion. You must upload the appendix as a singular document. Please contact the CCAP helpline at 800-462-8843, if you need e-filing assistance.

OCCD CA 06-16-2022 Rejected Electronic Document
Comment: (Rejection 1 of 2) - "part 5" - The appendix to the Appellants brief has been uploaded in multiple parts and cannot be accepted in this fashion. You must upload the appendix as a singular document. Please contact the CCAP helpline at 800-462-8843, if you need e-filing assistance.

OCCD CA 06-15-2022 Rejected Electronic Document
Comment: (Rejection 4 of 4) The appendix to the Appellants brief has been uploaded in four parts and cannot be accepted in this fashion. You must upload the appendix as a singular document. Please contact the CCAP helpline at 800-462-8843, if you need e-filing assistance.

OCCD CA	06-15-2022	Rejected Electronic Document
<p>Comment: (Rejection 3 of 4) The appendix to the Appellants brief has been uploaded in four parts and cannot be accepted in this fashion. You must upload the appendix as a singular document. Please contact the CCAP helpline at 800-462-8843, if you need e-filing assistance.</p>		
OCCD CA	06-15-2022	Rejected Electronic Document
<p>Comment: (Rejection 2 of 4) The appendix to the Appellants brief has been uploaded in four parts and cannot be accepted in this fashion. You must upload the appendix as a singular document. Please contact the CCAP helpline at 800-462-8843, if you need e-filing assistance.</p>		
OCCD CA	06-15-2022	Rejected Electronic Document
<p>Comment: (Rejection 1 of 4) The appendix to the Appellants brief has been uploaded in four parts and cannot be accepted in this fashion. You must upload the appendix as a singular document. Please contact the CCAP helpline at 800-462-8843, if you need e-filing assistance.</p>		
OCCD CA	06-13-2022	Supplement to Record
<p>Comment: Properly signed notice of appeal</p>		
OCCD CA	06-13-2022	Response
<p>Comment: Amended notice of appeal that is properly signed by both appellate counsel and the parent, to be filed in the circuit court</p>		
OCCD CA	06-13-2022	Response
<p>Comment: Did Attorney Sheila J. Kessler opt in?</p>		
OCCD CA	05-27-2022	Court Order
<p>IT IS ORDERED that by June 13, 2022, the appellant shall file with the clerk of circuit court an amended notice of appeal that is properly signed by both appellate counsel and the parent. IT IS FURTHER ORDERED that if the amended notice of appeal is filed, the requirement of WIS. STAT. RULE 809.11(2) for 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 amended notice of appeal to this court by supplemental record return within five days of its filing.</p>		
OCCD CA	05-18-2022	Motion to Extend Time
<p>Filed By: Jill Vento Submit Date: 5-18-2022 Decision: (G) Grant Decision Date: 5-19-2022 IT IS ORDERED that the time to file the appellants brief is extended to June 15, 2022. IT IS FURTHER ORDERED that Attorney Sheila J. Kessler shall opt in to participate in the Court of Appeals electronic filing system for this case within five days of the date of this order. See WIS. STAT. RULE 809.801. Motion Response Filed By: Tiffany Wunderlin Submit Date: 5-19-2022 See BAP event due on 6-15-2022</p>		
OCCD CA	05-18-2022	Sealed Documents

OCCD CA	05-18-2022	Record
Comment: ELECTRONICALLY FILED		
OCCD CA	05-13-2022	Response
Comment: Did circuit court decide on postjudgement motion by 4/22? Transcript request within 3 days of decision; Court reporter to file transcript within 10 days of request; Circuit court to transmit record within 5 days of transcript filed		
OCCD CA	05-02-2022	Sua Sponte
Filed By: Unassigned District 4 Submit Date: 5-2-2022 Decision: (N) No Action Decision Date: 5-2-2022 No action.		
OCCD CA	04-28-2022	Other Papers
Comment: Copy of Order Regarding Motion to Nullify Judgement, filed in circuit court		
OCCD CA	04-21-2022	Motion to Extend Time
Filed By: Patricia Baker Submit Date: 4-21-2022 Decision: (G) Grant Decision Date: 4-26-2022 IT IS ORDERED that the time to decide the postadjudication motion is extended to May 6, 2022. See RSP event due on 5-6-2022 Comment: re Postjudgement motion decision in circuit court		
OCCD CA	03-03-2022	Other Papers
Comment: Copy of Circuit Court Order on Adjournment Request		
OCCD CA	03-03-2022	Rejected Electronic Document
OCCD CA	03-03-2022	Rejected Electronic Document
OCCD CA	03-03-2022	Motion for Miscellaneous Relief
Filed By: Jill Vento Submit Date: 3-3-2022 Decision: (O) Other Decision Date: 3-4-2022 IT IS ORDERED that the circuit court shall hold any necessary proceedings and enter an order deciding the postjudgment motion no later than April 22, 2022. IT IS FURTHER ORDERED that a transcript of the postjudgment hearing, if necessary for the appeal, shall be requested within three days of the date that an order disposing of the postjudgment motion is entered. The transcript shall be prepared, filed, and served within ten days of the date it is requested, and the party requesting the transcript shall advise the court reporter of this deadline. IT IS FURTHER ORDERED that the record shall be transmitted back to this court within five days of entry of the order disposing of the postjudgment motion or the filing of the transcript of the motion hearing if requested. The record shall include the proceedings on remand.		

IT IS FURTHER ORDERED that the time for filing the appellants brief is extended to fourteen days after the return of the record to this court, and that the appellants brief shall present all grounds for relief.

Motion Response

Filed By: Jill Vento

Submit Date: 3-3-2022

Motion Response

Filed By: Tiffany Wunderlin

Submit Date: 3-3-2022

OCCD CA 01-26-2022 Notice of Appearance
Comment: Tiffany Wunderlin for Portage County DHHS

OCCD CA 01-24-2022 Motion for Remand

Filed By: Jill Vento

Submit Date: 1-24-2022

Decision: (G) Grant

Decision Date: 1-25-2022

IT IS ORDERED that this court retains jurisdiction and that the record is remanded to the circuit court so that the appellant may file, and the circuit court may hear and decide, a postjudgment motion pursuant to WIS. STAT. RULE 809.107(6)(am).

IT IS FURTHER ORDERED that the postjudgment motion shall be filed no later than February 11, 2022.

IT IS FURTHER ORDERED that the circuit court shall hold any necessary proceedings and enter an order deciding the postjudgment motion no later than March 15, 2022.

IT IS FURTHER ORDERED that a transcript of the postjudgment hearing, if any and if necessary for the appeal, shall be requested within three days of the date that an order disposing of the postjudgment motion is entered. The transcript shall be prepared, filed, and served within ten days of the date it is requested, and the party requesting the transcript shall advise the court reporter of this deadline.

IT IS FURTHER ORDERED that the record shall be transmitted back to this court within five days of entry of the order disposing of the postjudgment motion or the filing of the transcript of the motion hearing if requested. The record shall include the proceedings on remand.

IT IS FURTHER ORDERED that the time for filing the appellants brief is extended to fourteen days after the return of the record to this court, and that the appellants brief shall present all grounds for relief.

Motion Response

Filed By: Jill Vento

Submit Date: 1-24-2022

OCCD CA 01-20-2022 Statement on Transcript

Filed By: Jill Vento

Status: Prev. Filed

OCCD CA 01-19-2022 Motion for Miscellaneous Relief

Filed By: Jill Vento

Submit Date: 1-19-2022

Decision: (O) Other

Decision Date: 1-21-2022

IT IS ORDERED that the clerk of this court shall remove the NM designation from the case number and otherwise change this appeal to a regular appeal.

IT IS FURTHER ORDERED that the motion for remand is denied.

IT IS FURTHER ORDERED that the time to file a motion for remand is extended to seven days from the date of this order.

Comment: Motion to Withdraw no-merit notice of appeal

WSCCA Case History

OCCD CA	01-19-2022	Delinquent
Comment: New due date of connected SRT: 1-26-2022		
OCCD CA	01-18-2022	Rejected Electronic Document
Comment: Statement on Transcript; The Statement on Transcript is required to be filed in the circuit court only, per 809.11(4)(b). Please eFile in the circuit court if you have not done so already. The circuit court is required to transmit to the court of appeals once received.		
OCCD CA	01-14-2022	Motion to Extend Time
Filed By: Chris Marfilius Submit Date: 1-14-2022 Decision: (G) Grant Decision Date: 1-18-2022 IT IS ORDERED that the time to transmit the record is extended to February 4, 2022. See REC event due on 2-4-2022		
OCCD CA	01-14-2022	Attorney address updated
Comment: Address changed for attorney: 16233 Jill C. Vento		
OCCD CA	01-12-2022	Fee Waived
Comment: SPD Appointed		
OCCD CA	01-12-2022	Response
Comment: Receive SPD appointment order? Yes.		
OCCD CA	01-06-2022	Notice of Docketing of Appeal
OCCD CA	01-06-2022	Termination of Parental Rights
OCCD CA	01-05-2022	Notice of Appeal & Court Record
OCCD CA	01-04-2022	Notice of Appeal filed in Cir. Ct.
OCCD CA	08-10-2021	Order of Circuit Court