

# Wisconsin Supreme Court and Court of Appeals Case Access

**State v. Lewis O. Floyd, Jr.**

**Appeal Number 2015AP001294 - CR**

**Supreme Court**

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	08-10-2017		Remittitur
OCCD	SC	07-07-2017		Cites
		377 Wis. 2d 394		
OCCD	SC	07-07-2017		Cites
		898 N.W.2d 560		
OCCD	SC	07-07-2017		<a href="#">Opinion/Decision</a>
		Judge Panel: Roggensack, Abrahamson, Bradley, Ziegler, Gableman, Bradley, Kelly		
		Opinion: Opinion		
		Decision: Affirmed Pages: 27		
		Written by: Kelly, Daniel		
		Abrahamson, Shirley S. Joined Dissenting Opinion		
		Bradley, Ann Walsh Wrote Dissenting Opinion 17 pages.		
		Order Text: The decision of the court of appeals is affirmed.		
OCCD	SC	07-05-2017		Public Domain Citation
		Comment: PDC No: 2017 WI 78		
OCCD	SC	04-19-2017		Oral Argument
		Comment: 1st case, 9:45 a.m.; Atty. Michael Soukup for Def-App-Pet, Atty. Luke Berg for Pla-Res		
OCCD	SC	04-13-2017		Certificate of Filing by Mail
		Comment: BR3-IB 4/12/17		
OCCD	SC	04-13-2017		Attorney address updated
		Comment: Address changed for attorney: 41166 Michael George Soukup		
OCCD	SC	04-13-2017		Reply Brief-Supreme Court
				<a href="#">Reply Brief-Supreme Court</a>
		Filed By: Michael Soukup		

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OCCD SC 04-12-2017 Briefs Received At State Law Library

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OCCD SC 04-12-2017 [Brief of Amicus Curiae](#)  
[Brief of Amicus Curiae - SPD](#)

Filed By: L. Michael Tobin

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OCCD SC 04-11-2017 Motion to File Amicus/Non-Party Brief

Filed By: L. Michael Tobin

Submit Date: 4-11-2017

Decision: (G) Grant

Decision Date: 4-12-2017

ORD that the motion is granted and the brief is accepted for filing.

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OCCD SC 04-07-2017 Briefs Received At State Law Library

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OCCD SC 03-30-2017 Rejected Electronic Document

Comment: The brief and appendix are filed as one document. Please electronically file each as a separate document.

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OCCD SC 03-29-2017 [Response Brief-Supreme Court](#)  
[Response Brief-Supreme Court](#)

Filed By: Luke Berg

Comment: Appendix to Response Brief-Supreme Court

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OCCD SC 03-09-2017 Briefs Received At State Law Library

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OCCD SC 03-02-2017 Motion to Extend Time

Filed By: Luke Berg

Submit Date: 3-2-2017

Decision: (G) Grant

Decision Date: 3-3-2017

ORD that the motion is granted in part. This case is scheduled for oral argument on 4-19-2017. In order to ensure that all briefs are filed sufficiently in advance of oral argument to provide the court with adequate preparation time, the plaintiff-respondent's response brief is shall be served and filed on or before 3-29-2017.

See BR2 event due on 3-29-2017

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OCCD SC 03-02-2017 Attorney Change

Comment: substitute Luke Berg for Kevin LeRoy

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OCCD SC 02-27-2017 [First Brief-Supreme Court](#)  
[First Brief-Supreme Court](#)

Filed By: Michael Soukup

Comment: Separate Appendix

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OCCD SC 02-22-2017 Motion to Extend Time

Filed By: Michael Soukup

Submit Date: 2-23-2017

Decision: (G) Grant

Decision Date: 2-23-2017

ORD that the motion is granted. Defendant-appellant-petitioner's opening brief shall be served and filed on or before 2-24-2017.

See BR1 event due on 2-24-2017

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OCCD SC 02-20-2017 Assigned-Oral Argument

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OCCD SC 02-03-2017 Motion to Extend Time

Filed By: Michael Soukup

Submit Date: 2-3-2017

Decision: (G) Grant

Decision Date: 2-6-2017

ORD that the motion is granted. Defendant-appellant-petitioner's opening brief shall be served and filed on or before February 23, 2017.

See BR1 event due on 2-23-2017

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OCCD SC 01-31-2017 Attorney Change

Comment: From AG: Deputy Solicitor General to appear for respondent, replacing AAG Tarver.

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OCCD SC 01-30-2017 Response

Comment: 10 additional CA briefs for SC use received

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OCCD SC 01-12-2017 Attorney Change

Comment: DA Hanson for former DA Chiapete

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OCCD SC 01-11-2017 Letter/Correspondence

Comment: From AG; Plaintiff-Respondent brief filed.

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OCCD SC 01-10-2017 Caption Amended

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OCCD SC 01-10-2017 Court Changed to Supreme Court

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OCCD SC 09-30-2016 Letter/Correspondence

Comment: from AAG Tarver advising State will not file formal response opposing PRE unless requested by the court

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OCCD SC 09-28-2016 Fee Waived

Comment: SPD appointed

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OCCD SC 09-28-2016 Petition for Review

Filed By: Michael Soukup

Submit Date: 10-3-2016

Decision: (G) Grant

Decision Date: 1-10-2017

ORD 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

FRO that pursuant to Wis. Stat. (Rule) 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

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; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this 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 within 30 days after the date of this order, each party 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; and

FRO that the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.

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OCCD CA 09-12-2016

Final Publication

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OCCD CA 09-07-2016  
371 Wis. 2d 404

Cites

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OCCD CA 09-07-2016  
885 N.W.2d 156

Cites

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OCCD CA 09-07-2016

Opinion Ordered Published

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OCCD CA 08-31-2016  
Comment: PDC No: 2016 WI App 64

Public Domain Citation

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OCCD CA 07-26-2016

Motion for Reconsideration

Filed By: Michael Soukup  
Submit Date: 7-27-2016  
Decision: (D) Deny  
Decision Date: 8-29-2016  
ORD that the motion for reconsideration is denied.

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OCCD CA 07-06-2016

[Opinion/Decision](#)

Judge Panel: Gundrum, Hagedorn, Reilly  
Opinion: Opinion  
Decision: Affirmed Pages: 16  
Written by: Gundrum, Mark D.  
Reilly, Paul F. Wrote Concurring Opinion 2 pages.  
Order Text: Judgment and order affirmed.

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OCCD CA 02-25-2016

Submitted on Briefs

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OCCD CA	01-04-2016	Briefs Received At State Law Library
OCCD CA	12-17-2015	Record and Briefs Sent to District 2
OCCD CA	12-15-2015 Comment: BRY	Certificate of Filing by Mail
OCCD CA	12-14-2015  Filed By: Michael Soukup	Reply Brief <a href="#">Reply Brief</a>
OCCD CA	11-25-2015  Filed By: Sandra Tarver	Brief of Respondent(s) <a href="#">Brief of Respondent</a>
OCCD CA	10-26-2015 Filed By: Sandra Tarver Submit Date: 10-27-2015 Decision: (G) Grant Decision Date: 10-28-2015 ORD that the time for the respondent to file its respondent's brief is extended to 11/25/15. See Wis. Stat. Rule 809.82(2)(a). See BRS event due on 11-25-2015	Motion to Extend Time
OCCD CA	09-24-2015 Comment: AAG Sandra L. Tarver for State per letter notice of appearance	Attorney Change
OCCD CA	09-22-2015 Comment: BAP	Certificate of Filing by Mail
OCCD CA	09-21-2015  Filed By: Michael Soukup  Comment: 10 additional copies of BAP w/Separate Appendix received for SC use. 1/30/17ab	Brief & Appx of Appellant(s) <a href="#">Brief of Appellant</a>
OCCD CA	09-18-2015 Filed By: Michael Soukup Submit Date: 9-21-2015 Decision: (G) Grant Decision Date: 9-21-2015 ORD motion granted, time extended to 9/21/15. See BAP event due on 9-21-2015	Motion to Extend Time
OCCD CA	09-11-2015 Filed By: Michael Soukup Submit Date: 9-14-2015	Motion to Extend Time

Decision: (G) Grant  
Decision Date: 9-14-2015  
ORD motion granted, time extended to 9/18/15.  
See BAP event due on 9-15-2015

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OCCD CA	08-06-2015	Sealed Documents
Comment: PSI #13		

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OCCD CA	08-06-2015	Record
Comment: 1-3 to 29-1		

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OCCD CA	07-10-2015	Court Reporter's Statement-Trans.
Court Reporter Name: (Campbell, Sandra)		

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OCCD CA	07-09-2015	Statement on Transcript
Filed By: Michael Soukup		
Status: Ordered		

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OCCD CA	07-08-2015	Transcript filed in Circuit Court
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OCCD CA	07-01-2015	Notif. Sent-Filing of NAP & Ct. Record
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OCCD CA	07-01-2015	Fee Waived
Comment: SPD		

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OCCD CA	07-01-2015	Notice of Appeal & Court Record
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OCCD CA	07-01-2015	X Transfer
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OCCD CA	06-29-2015	Received SPD Appointment Order
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OCCD CA	06-26-2015	Notice of Appeal filed in Cir. Ct.
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OCCD CA	06-11-2015	Order of Circuit Court
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OCCD CA	05-27-2015	MXT to Decide Postconviction Motion
Filed By: Michael Soukup		
Submit Date: 5-27-2015		
Decision: (G) Grant		
Decision Date: 5-28-2015		
ORD that the time for deciding the defendant's postconviction motion is extended to July 24, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).		

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OCCD CA	04-13-2015	MXT to file NAP/PCM
Filed By: Michael Soukup		

Submit Date: 4-14-2015

Decision: (G) Grant

Decision Date: 4-15-2015

ORD that the time for filing a notice of appeal or postconviction motion is extended to 4/20/15. See Wis. Stat. Rule 809.82(2)(a).

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OCCD CA 03-27-2015

MXT to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 3-27-2015

Decision: (G) Grant

Decision Date: 3-30-2015

ORD that the time for filing a notice of appeal or postconviction motion is extended to 4/13/15. See Wis. Stat. Rule 809.82(2)(a).

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OCCD CA 02-25-2015

MXT to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 2-25-2015

Decision: (G) Grant

Decision Date: 3-2-2015

ORD that the time for filing a notice of appeal or postconviction motion is extended to 3/30/15. See Wis. Stat. Rule 809.82(2)(a).

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OCCD CA 12-29-2014

MXT to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 12-30-2014

Decision: (G) Grant

Decision Date: 1-2-2015

ORD that the time for filing a notice of appeal or postconviction motion is extended to February 27, 2015. See Wis. Stat. Rule 809.82(2)(a).

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OCCD CA 10-28-2014

MXT to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 10-28-2014

Decision: (G) Grant

Decision Date: 10-29-2014

ORD that the time for filing a notice of appeal or postconviction motion is extended to 12/29/14. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

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OCCD CA 08-29-2014

MXT to file NAP/PCM

Filed By: Michael Soukup

Submit Date: 8-29-2014

Decision: (G) Grant

Decision Date: 9-3-2014

ORD that the time for filing a notice of appeal or postconviction motion is extended to October 28, 2014. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

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OCCD CA 03-19-2014

Judgment of Circuit Court

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