

Wisconsin Supreme Court and Court of Appeals Case Access

State v. Luis Calderon-Encarnacion, Jr.

Appeal Number 2014AP002252 - CR

Court of Appeals District 1

CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	10-12-2016		Remittitur
OCCD	CA	05-25-2016		Cites 369 Wis. 2d 222
OCCD	CA	05-25-2016		Cites 880 N.W.2d 182
OCCD	SC	05-25-2016		Other Papers Comment: ltr., State opposes the petition; will not file a formal response unless ordered by court
OCCD	CA	05-25-2016		Opinion Ordered Unpublished
OCCD	CA	05-13-2016		Rejected Electronic Document Comment: Petition For Review - Breaks confidentiality, non-compliant with Wis. Stat. (Rule) 809.86.
OCCD	SC	05-12-2016		Sua Sponte Filed By: Unassigned District 1 Submit Date: 5-12-2016 Decision: (O) Other Decision Date: 5-13-2016 ORD that defendant-appellant-petitioner shall file a revised petition for review in compliance with Wis. Stat. 809.86, in both paper and electronic form, within 11 days of the date of this order. FRO that defendant-appellant-petitioner shall serve plaintiff-respondent, State of Wisconsin, with a copy of the revised petition for review. FRO that the plaintiff-respondent's time for filing a response to the revised petition for review shall commence as of the date of service. See Wis. Stat. (Rule) 809.62(3). Comment: PRE refers to victim by name
OCCD	SC	05-12-2016		Fee Waived Comment: SPD
OCCD	SC	05-12-2016		Petition for Review

Filed By: Helen Mullison

Submit Date: 5-26-2016

Decision: (D) Deny

Decision Date: 10-11-2016

ORD that the petition for review is denied, without costs.

Kelly, J., did not participate in this order.

Comment: 5/12/16 - PRE refers to victim by name; per 5/13/16 cto revised PRE to be filed by 5/24/16;

5/16/16 amended PRE received; 5/25/16 - State opposes the petition; will not file a formal response

unless ordered by court

OCCD CA 04-12-2016

[Opinion/Decision](#)

Judge Panel: Curley, Brash, Brennan

Opinion: Opinion

Decision: Affirmed Pages: 16

Written by: Brash, William W.

Order Text: Judgment affirmed

OCCD CA 03-01-2016

Attorney address updated

Comment: Address changed for attorney: 22917 Helen M. Mullison

OCCD CA 02-02-2016

Submitted on Briefs

OCCD CA 10-28-2015

Briefs Received At State Law Library

OCCD CA 10-15-2015

Record and Briefs Sent to District 1

OCCD CA 10-13-2015

Reply Brief

[Reply Brief](#)

Filed By: Helen Mullison

OCCD CA 10-09-2015

Motion to Extend Time

Filed By: Helen Mullison

Submit Date: 10-12-2015

Decision: (G) Grant

Decision Date: 10-13-2015

IT IS ORDERED that the deadline for Calderon-Encarnacion to file a reply brief is extended through the date of this order. See Wis. Stat. Rule 809.82(2)(a) (2013-14).

See BRY event due on 10-9-2015

Comment: 4th

OCCD CA 10-05-2015

Motion to Extend Time

Filed By: Helen Mullison

Submit Date: 10-5-2015

Decision: (G) Grant

Decision Date: 10-7-2015

IT IS ORDERED that the deadline for Calderon-Encarnacion to file a reply brief is extended through October 9, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).

See BRY event due on 10-9-2015

Comment: 3d

OCCD CA 09-28-2015 Motion to Extend Time
Filed By: Helen Mullison
Submit Date: 9-28-2015
Decision: (G) Grant
Decision Date: 9-30-2015
IT IS ORDERED that the deadline for Calderon-Encarnacion to file a reply brief is extended through October 5, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).
See BRY event due on 10-5-2015
Comment: 2nd

OCCD CA 09-21-2015 Motion to Extend Time
Filed By: Helen Mullison
Submit Date: 9-21-2015
Decision: (G) Grant
Decision Date: 9-22-2015
IT IS ORDERED the deadline for Calderon-Encarnacion to file a reply brief is extended through 09/28/15. See Wis. Stat. Rule 809.82(2)(a) (2013-14).
See BRY event due on 9-28-2015

OCCD CA 09-02-2015 [Brief of Respondent\(s\)](#)
[Brief of Respondent\(s\)](#)
Filed By: Sarah Larson

OCCD CA 08-13-2015 Motion to Extend Time
Filed By: Sarah Larson
Submit Date: 8-14-2015
Decision: (G) Grant
Decision Date: 8-17-2015
IT IS ORDERED that the time for the respondent to file a respondent's brief is extended to September 2, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).
See BRS event due on 9-2-2015
Comment: 4th

OCCD CA 08-06-2015 Motion to Extend Time
Filed By: Sarah Larson
Submit Date: 8-6-2015
Decision: (G) Grant
Decision Date: 8-10-2015
IT IS ORDERED that the time for the respondent to file a respondent's brief is extended to August 21, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).
See BRS event due on 8-21-2015
Comment: 3rd

OCCD CA 08-04-2015 Affidavit of No Service filed
Comment: Letter from State to Atty. Mullison indicating they have not been served with copies of transcripts

OCCD CA 07-21-2015 Motion to Extend Time
Filed By: Sarah Larson
Submit Date: 7-21-2015

Decision: (G) Grant
Decision Date: 7-22-2015
IT IS ORDERED the deadline for the State to file the respondent's brief in this matter is extended to August 6, 2015.
See BRS event due on 8-6-2015
Comment: 2d

OCCD CA 06-18-2015 Motion to Extend Time
Filed By: Sarah Larson
Submit Date: 6-19-2015
Decision: (G) Grant
Decision Date: 6-22-2015
IT IS ORDERED that the time for the respondent to file a respondent's brief is extended to July 22, 2015. See Wis. Stat. Rule 809.82(2)(a) (2013-14).
See BRS event due on 7-22-2015

OCCD CA 05-19-2015 Motion to Extend Time
Filed By: Sarah Larson
Submit Date: 5-19-2015
Decision: (G) Grant
Decision Date: 5-20-2015
IT IS ORDERED that the request to take judicial notice is denied. IT IS FURTHER ORDERED that the deadline for the State to file its respondents brief is June 22, 2015. IT IS FURTHER ORDERED that the States motions to extend the time for filing a respondents brief in this matter are denied as unnecessary at this time.
See BRS event due on 4-16-2015

OCCD CA 04-16-2015 Motion to Extend Time
Filed By: Sarah Larson
Submit Date: 4-16-2015
Decision: (D) Deny
Decision Date: 5-20-2015
IT IS ORDERED that the request to take judicial notice is denied. IT IS FURTHER ORDERED that the deadline for the State to file its respondents brief is June 22, 2015. IT IS FURTHER ORDERED that the States motions to extend the time for filing a respondents brief in this matter are denied as unnecessary at this time.
See BRS event due on 4-16-2015

OCCD CA 03-24-2015 Sua Sponte
Filed By: Unassigned District 1
Submit Date: 3-24-2015
Decision: (O) Other
Decision Date: 5-20-2015
IT IS ORDERED that the request to take judicial notice is denied. IT IS FURTHER ORDERED that the deadline for the State to file its respondents brief is June 22, 2015. IT IS FURTHER ORDERED that the States motions to extend the time for filing a respondents brief in this matter are denied as unnecessary at this time.
Comment: Memorandum submitted by App, wants filed with Atty. BAP, action?

OCCD CA 03-23-2015 Attorney Change
Comment: W/drew AAG Weber, added AAG Larson as counsel for State per letter.

OCCD CA 03-17-2015

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

Filed By: Helen Mullison

Comment: Appx to Brief of Appellant(s)

OCCD CA 03-13-2015

Motion to Extend Time

Filed By: Helen Mullison

Submit Date: 3-16-2015

Decision: (G) Grant

Decision Date: 3-17-2015

IT IS ORDERED the deadline for filing the appellant's brief in this matter is extended to 03/24/15.

See BAP event due on 3-24-2015

Comment: 6th

OCCD CA 03-02-2015

Motion to Extend Time

Filed By: Helen Mullison

Submit Date: 3-3-2015

Decision: (G) Grant

Decision Date: 3-4-2015

IT IS ORDERED the deadline for filing the appellant's brief and appendix in this matter is extended to 03/13/15.

See BAP event due on 3-13-2015

Comment: 5th

OCCD CA 02-06-2015

Motion to Extend Time

Filed By: Helen Mullison

Submit Date: 2-9-2015

Decision: (G) Grant

Decision Date: 2-10-2015

IT IS ORDERED that the deadline for filing the appellant's brief and appendix in this matter is extended to February 20, 2015.

See BAP event due on 2-20-2015

Comment: 4th

OCCD CA 01-23-2015

Motion to Extend Time

Filed By: Helen Mullison

Submit Date: 1-23-2015

Decision: (G) Grant

Decision Date: 1-28-2015

IT IS ORDERED that the deadline for Calderon-EncarnacionThames to file a brief and appendix in these matters is extended through February 6, 2015. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

See BAP event due on 2-6-2015

Comment: 3d

OCCD CA 01-08-2015

Motion to Extend Time

Filed By: Helen Mullison

Submit Date: 1-9-2015

Decision: (G) Grant

Decision Date: 1-12-2015

IT IS ORDERED the deadline for Calderon-Encarnacion to file a brief and appendix is extended through

01/23/15. See Wis. Stat. Rule 809.82(2)(a) (2011-12).
See BAP event due on 1-23-2015
Comment: 2d

OCCD CA	12-15-2014	Motion to Extend Time
Filed By: Helen Mullison Submit Date: 12-15-2014 Decision: (G) Grant Decision Date: 12-16-2014 IT IS ORDERED that the time for the appellant to file an appellants brief is extended until January 7, 2015. See Wis. Stat. Rule 809.82(2)(a) (2011-12). See BAP event due on 1-7-2015		

OCCD CA	11-03-2014	Record
Comment: 1-9 to 50-3		

OCCD CA	10-02-2014	Statement on Transcript
Filed By: Helen Mullison Status: Prev. Filed		

OCCD CA	09-26-2014	Notif. Sent-Filing of NAP & Ct. Record
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OCCD CA	09-26-2014	Fee Waived
Comment: SPD appointed		

OCCD CA	09-26-2014	Received SPD Appointment Order
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OCCD CA	09-26-2014	Notice of Appeal & Court Record
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OCCD CA	09-26-2014	X Transfer
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OCCD CA	09-12-2014	MXT to file NAP/PCM
Filed By: Helen Mullison Submit Date: 9-15-2014 Decision: (G) Grant Decision Date: 9-25-2014 IT IS ORDERED that the deadline for filing a postconviction motion or notice of appeal is extended until September 30, 2014. Motion Response Filed By: Helen Mullison Submit Date: 9-19-2014 Comment: 5th; Rec'd another motion, asking for different request date		

OCCD CA	09-08-2014	Sua Sponte
Filed By: Unassigned District 1 Submit Date: 9-8-2014 Decision: (N) No Action Decision Date: 9-25-2014		

IT IS ORDERED that the deadline for filing a postconviction motion or notice of appeal is extended until September 30, 2014.

Comment: Letter from Def re: Atty. Mullison's representation

OCCD CA 09-02-2014 MXT to file NAP/PCM

Filed By: Helen Mullison

Submit Date: 9-2-2014

Decision: (G) Grant

Decision Date: 9-3-2014

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

Comment: 4th

OCCD CA 08-18-2014 MXT to file NAP/PCM

Filed By: Helen Mullison

Submit Date: 8-19-2014

Decision: (G) Grant

Decision Date: 8-20-2014

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

Comment: 3d

OCCD CA 08-04-2014 Letter/Correspondence

Comment: Rcv'd from DEF re status of case; 8/4/14 sent response letter w/cc: to Atty. Mullison, skg.

OCCD CA 07-30-2014 MXT to file NAP/PCM

Filed By: Helen Mullison

Submit Date: 7-31-2014

Decision: (G) Grant

Decision Date: 8-6-2014

IT IS ORDERED the time for filing a notice of appeal or a postconviction motion is extended to 08/18/14. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

Comment: 2d

OCCD CA 06-30-2014 MXT to file NAP/PCM

Filed By: Helen Mullison

Submit Date: 6-30-2014

Decision: (G) Grant

Decision Date: 7-2-2014

IT IS ORDERED that the deadline for Caleron-Encarnacion to file a postconviction motion or notice of appeal in this matter is extended to July 30, 2014.

OCCD CA 04-07-2014 Received SPD Appointment Order

Comment: for Atty. Helen Mullison

OCCD CA 03-27-2014 Miscellaneous Motion on XX-Case

Filed By: Jeremy Perri

Submit Date: 3-27-2014

Decision: (G) Grant

Decision Date: 3-28-2014

IT IS ORDERED that the deadline for the Office of the State Public Defender to appoint successor counsel for Calderon-Encarnacion is extended through April 30, 2014. See WIS. STAT. RULE 809.30(2)(e) (2011-12). IT IS FURTHER ORDERED that successor counsel shall provide this court with a copy of his or her appointment order within five days of the date of the appointment. IT IS FURTHER ORDERED that the deadline for Calderon-Encarnacion to file a postconviction motion or notice of appeal in this matter is extended to June 30, 2014. IT IS FURTHER ORDERED that the Office of the State Public Defender shall provide successor counsel with a copy of this order.
 Comment: Motion for leave to appoint successor counsel and file NAP/PCM

OCCD CA 02-24-2014 Letter/Correspondence
 Comment: rcv'd from DEF-APP Luis Calderon-Encarnacion, Jr.

OCCD CA 02-21-2014 MXT to file NAP/PCM
 Filed By: Robert Kagen
 Submit Date: 2-21-2014
 Decision: (G) Grant
 Decision Date: 2-25-2014
 IT IS ORDERED that the deadline for Calderon-Encarnacion, Jr., to file a postconviction motion or notice of appeal in this matter is extended to March 31, 2014.

OCCD CA 02-21-2014 Attorney address updated
 Comment: Address changed for attorney: 6803 Robert A. Kagen

OCCD CA 01-10-2014 MXT to file NAP/PCM
 Filed By: Robert Kagen
 Submit Date: 1-13-2014
 Decision: (G) Grant
 Decision Date: 1-14-2014
 ORD that the deadline for Calderon-Encarnacion to file a postconviction motion or a notice of appeal is extended through February 24, 2014. See Wis. Stat. Rule 809.82(2)(a) (2011-12).

OCCD CA 09-24-2013 Notice of Appeal filed in Cir. Ct.

OCCD CA 08-13-2013 MXT to file Notice of Intent
 Filed By: (Calderon-Encarnacion, Luis)
 Submit Date: 8-13-2013
 Decision: (D) Deny
 Decision Date: 8-14-2013
 IT IS ORDERED that the motion to extend the time for filing a notice of intent to pursue postconviction relief is denied as unnecessary.

OCCD CA 07-19-2013 Judgment of Circuit Court
