



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

JANUARY 2022

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of January, 2022 and to date for the term that began on September 1, 2021.

Opinions Issued by the Court

The Supreme Court issued opinions resolving 6 cases in January. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>January 2022</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>6</u>	<u>21</u>
Attorney disciplinary cases	0	5
Judicial disciplinary cases.....	0	0
Bar Admissions	0	0
Civil cases	5	12
Criminal cases	1	4

Petitions for Review

A total of 60 petitions for review were filed during the month. A petition for review asks the Supreme Court to review the decision of the Court of Appeals. The Supreme Court's jurisdiction is discretionary, meaning that review is granted in selected cases only. In January, the Supreme Court disposed of 56 petitions for review, of which 9 petitions were granted. The Supreme Court currently has 182 petitions for review pending.

	<u>January 2022</u>	<u>Term to Date</u>
Petitions for Review filed	60	231
Civil cases	28	101
Criminal cases.....	32	130

Petition for Review dispositions	56	271
Civil cases (petitions granted).....	24 (7)	113 (20)
Criminal cases (petitions granted)	32 (2)	158 (12)

Petitions for Bypass

In January, the Supreme Court received one petition for bypass and disposed of one petition for bypass. In a petition for bypass, a party requests that the Supreme Court take jurisdiction of an appeal or other proceeding pending in the Court of Appeals. A matter appropriate for bypass is usually one which meets one or more of the criteria for review by the Supreme Court and one the Supreme Court concludes it will ultimately choose to consider regardless of how the Court of Appeals might decide the issues. A petition for bypass may also be granted where there is a clear need to hasten the ultimate appellate decision. The Supreme Court currently has 5 petitions for bypass pending.

	<u>January 2022</u>	<u>Term to Date</u>
Petitions for Bypass filed	1	9
Civil cases	1	8
Criminal cases	0	1
Petition for Bypass dispositions.....	1	7
Civil cases (petitions granted).....	1 (1)	7 (5)
Criminal cases (petitions granted)	0 (0)	0 (0)

Requests for Certification

During January 2022, the Supreme Court received no requests for certification and disposed of no requests for certification. In a request for certification, the Court of Appeals asks the Supreme Court to exercise its appellate jurisdiction before the Court of Appeals hears the matter. A request for certification is decided on the basis of the same criteria as a petition to bypass. The Supreme Court currently has 3 requests for certification pending.

	<u>January 2022</u>	<u>Term to Date</u>
Requests for Certification filed.....	0	<u>3</u>
Civil cases	0	2
Criminal cases	0	1
Request for Certification dispositions.....	<u>0</u>	<u>1</u>
Civil cases (requests granted)	0 (0)	1 (1)
Criminal cases (requests granted)	0 (0)	0 (0)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 5 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and no such case was reopened. The Supreme Court also received 4 petitions for supervisory writ, which asks the Supreme Court to order the Court of Appeals or a Circuit Court to take a certain action in a case. There were 2 original actions filed. An original action is a petition asking the Supreme Court to take jurisdiction over a particular matter. When an opinion is issued in these cases, the disposition is included in “Opinions Issued by the Court” above; otherwise, the case is disposed of by order and is included in the totals below. The Supreme Court currently has 108 regulatory matters and 15 petitions for supervisory writs pending.

	<u>January 2022</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	5	7
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	4	20
Other (including Original Actions).....	2	3
 <u>Dispositions by Order</u>		
Attorney discipline.....	1	1
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	6	17
Other (including Original Actions).....	0	0

**DECISIONS BY THE
WISCONSIN SUPREME COURT
OPINIONS ISSUED DURING JANUARY 2022**

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
#2019AP1365	<p><u>Danelle Duncan v. Asset Recovery Specialists, Inc.:</u> THE DECISION OF THE COURT OF APPEALS IS MODIFIED AND AFFIRMED AND, AS MODIFIED, THE CAUSE IS REMANDED TO THE CIRCUIT COURT. DALLET, J., delivered the majority opinion of the Court with respect to all parts except ¶¶29, 31-34, in which ANN WALSH BRADLEY, HAGEDORN, and KAROFSKY, JJ., joined, and an opinion with respect to ¶¶29, 31-34, in which ANN WALSH BRADLEY and HAGEDORN, JJ., joined. KAROFSKY, J., filed a concurring opinion. ROGGENSACK, J., filed a dissenting opinion in which ZIEGLER, C.J., and REBECCA GRASSL BRADLEY, J., joined.</p>	01/06/2022
#2019AP1206	<p><u>Daniel J. Hennessy, Jr. v. Wells Fargo Bank, N.A.:</u> THE DECISION OF THE COURT OF APPEALS IS AFFIRMED. ZIEGLER, C. J., delivered the majority opinion for a unanimous Court. DALLET, J., filed a concurring opinion, in which HAGEDORN and KAROFSKY, JJ., joined.</p>	01/14/2022
#2019AP2236	<p><u>Timothy Rave v. SVA Healthcare Services, LLC:</u> PER CURIAM. APPEAL DISMISSED.</p>	01/19/2022

#2020AP520

**Friendly Village Nursing and Rehab, LLC
v. DWD:**

01/26/2022

**THE COURT OF APPEALS DECISION IS
AFFIRMED.**

DALLET, J., delivered the majority opinion of the Court, in which **ANN WALSH BRADLEY, HAGEDORN,** and **KAROFSKY, JJ.**, joined. **ROGGENSACK, J.**, filed a dissenting opinion, in which **ZIEGLER, C.J.**, and **REBECCA GRASSL BRADLEY, J.**, joined.

#2018AP1476-CR

State v. Octavia W. Dodson:

01/26/2022

**THE COURT OF APPEALS' DECISION
IS AFFIRMED.**

KAROFSKY, J., delivered the majority opinion of the Court, in which **ANN WALSH BRADLEY, DALLET,** and **HAGEDORN, JJ.**, joined. **HAGEDORN, J.**, filed a concurring opinion. **REBECCA GRASSL BRADLEY, J.**, filed a dissenting opinion, in which **ZIEGLER, C.J.**, and **ROGGENSACK, J.**, joined.

#2021AP802

Andrew Waity v. Devin Lemahieu:

01/27/2022

**THE JUDGMENT AND ORDER OF THE
CIRCUIT COURT ARE REVERSED,
AND THE CAUSE IS REMANDED WITH
INSTRUCTIONS.**

ZIEGLER, C. J., delivered the majority opinion of the Court, in which **ROGGENSACK, REBECCA GRASSL BRADLEY,** and **HAGEDORN, JJ.**, joined. **DALLET, J.**, filed a dissenting opinion, in which **ANN WALSH BRADLEY** and **KAROFSKY, JJ.**, joined.