



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

April 2017

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of April 2017 and to date for the term that began on September 1, 2016.

Opinions Issued by the Court

The Supreme Court issued opinions involving 15 cases in April. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>April 2017</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>15</u>	<u>50</u>
Attorney disciplinary cases	2	21
Judicial disciplinary cases.....	0	0
Bar admission cases.....	0	0
Civil cases	7	14
Criminal cases	6	15

Petitions for Review

A total of 45 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 April, the Supreme Court disposed of 57 petitions for review, of which 5 petitions were granted. The Supreme Court currently has 163 petitions for review pending.

	<u>April 2017</u>	<u>Term to Date</u>
Petitions for Review filed	<u>45</u>	<u>442</u>
Civil cases	19	212
Criminal cases.....	26	230

Petition for Review dispositions	<u>57</u>	<u>511</u>
Civil cases (petitions granted).....	32 (3)	243 (25)
Criminal cases (petitions granted)	25 (2)	268 (25)

Petitions for Bypass

In April, the Supreme Court received no petitions for bypass and disposed of no petitions 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 1 petition for bypass pending.

	<u>April 2017</u>	<u>Term to Date</u>
Petitions for Bypass filed	<u>0</u>	<u>4</u>
Civil cases	0	3
Criminal cases	0	1
Petition for Bypass dispositions.....	<u>0</u>	<u>5</u>
Civil cases (petitions granted).....	0 (0)	5 (1)
Criminal cases (petitions granted)	0 (0)	0 (0)

Requests for Certification

During April 2017, 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 no requests for certification pending.

	<u>April 2017</u>	<u>Term to Date</u>
Requests for Certification filed	<u>0</u>	<u>2</u>
Civil cases	0	1
Criminal cases	0	1
Request for Certification dispositions.....	<u>0</u>	<u>3</u>
Civil cases (requests granted)	0 (0)	2 (1)
Criminal cases (requests granted)	0 (0)	1 (0)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 3 matter within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and no such cases were reopened. The Supreme Court also received 1 petition for supervisory writ, which ask the Supreme Court to order the Court of Appeals or a circuit court to take a certain action in a case. No original actions were 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 35 regulatory matters and 4 petitions for supervisory writ pending.

	<u>April 2017</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	3	41
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	1	26
Other (including Original Actions).....	0	0
 <u>Dispositions by Order</u>		
Attorney discipline.....	2	4
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	3	26
Other (including Original Actions).....	1	4

**DECISIONS BY THE
WISCONSIN SUPREME COURT**

OPINIONS ISSUED DURING April 2017

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2015AP463-D	Office of Lawyer Regulation (OLR) v. Christopher E. Meisel License Suspended Per Curiam ¹ <u>Dissent</u> : Abrahamson, J.	04/26/2017
2016AP380-D	OLR v. Alan R. Stewart License Suspended Per Curiam	04/26/2017

CIVIL AND CRIMINAL CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2015AP366-CR	State v. Stanley J. Maday, Jr. The decision of the court of appeals is reversed. <u>Majority Opinion</u> : Gableman, J. <u>Concur</u> : R.G. Bradley, J. <u>Dissent</u> : A.W. Bradley, J., joined by Abrahamson, J.	04/05/2017
2014AP2603-CR	State v. Glenn T. Zamzow The decision of the court of appeals is affirmed. <u>Majority Opinion</u> : R.G. Bradley, J. <u>Dissent</u> : Abrahamson, J., joined by A.W. Bradley, J.	04/06/2017
2013AP2882	Dr. Randall Melchert v. Pro Electric Contractors The decision of the court of appeals is affirmed. <u>Majority Opinion</u> : Gableman, J. <u>Concur</u> : Abrahamson, J. <u>Dissent</u> : R.G. Bradley, J., joined by Kelly, J.	04/07/2017

¹ “Per Curiam” means “by the Court.” Opinions issued *per curiam* are handed down by the Court as a whole.

2014AP1767-CR	<p>State v. Brian I. Harris</p> <p>The decision of the court of appeals is affirmed.</p> <p><u>Majority Opinion</u>: Kelly, J.</p> <p><u>Concur</u>: Ziegler, J., joined by Gableman, J.</p> <p><u>Dissent</u>: Abrahamson, J.</p>	04/07/2017
2014AP1914	<p>McKee Family I, LLC v. City of Fitchburg</p> <p>The decision of the court of appeals is affirmed.</p> <p><u>Majority Opinion</u>: A.W. Bradley, J.</p> <p>Abrahamson, J. and R.G. Bradley J. did not participate.</p>	04/12/2017
2014AP2278 2014AP2279	<p>Ricardo M. Garza v. American Transmission Co.</p> <p>Court of Appeals decision reversed</p> <p><u>Majority Opinion</u>: Gableman, J.</p>	04/13/2017
2014AP2581	<p>Taft Parsons, Jr. v. Associated Banc-Corp</p> <p>The decision of the court of appeals is reversed and cause remanded.</p> <p><u>Majority Opinion</u>: Ziegler, J.</p> <p><u>Dissent</u>: A.W. Bradley, J., joined by Abrahamson, J.</p> <p>Kelly, J. did not participate.</p>	04/13/2017
2014AP2376	<p>Donna Brenner v. National Casualty Company</p> <p>The decision of the court of appeals is affirmed.</p> <p><u>Majority Opinion</u>: Kelly, J.</p> <p>R.G. Bradley, J. did not participate.</p>	04/18/2017
2015AP1452-CR	<p>State v. Gary F. Lemberger</p> <p>The decision of the court of appeals is affirmed.</p> <p><u>Majority Opinion</u>: Ziegler, J.</p> <p><u>Concur</u>: Abrahamson, J., joined by A.W. Bradley, J. and Kelly, J.</p> <p><u>Concur</u>: Kelly, J.</p>	04/20/2017
2015AP79	<p>Maya Elaine Smith v. Jeff Anderson</p> <p>The decision of the court of appeals is dismissed as improvidently granted.</p> <p>Per Curiam</p> <p><u>Concur</u>: Roggensack, C.J.</p> <p><u>Dissent</u>: Abrahamson, J., joined by A.W. Bradley, J.</p> <p>Ziegler, J. and R.G. Bradley, J. did not participate.</p>	04/27/2017

2015AP959-CR	State v. Jack M. Suriano The decision of the court of appeals is affirmed. <u>Majority Opinion</u> : R.G. Bradley, J. <u>Dissent</u> : Abrahamson, J., joined by A.W. Bradley, J.	04/27/2017
2015AP1782-CR	State v. Sambath Pal The decision of the court of appeals is affirmed. <u>Majority Opinion</u> : Ziegler, J. <u>Concur</u> : Roggensack, C.J., joined by R.G. Bradley, J. <u>Concur</u> : Kelly, J., joined by Abrahamson, J. and A.W. Bradley, J.	04/28/2017