



# Supreme Court of Wisconsin

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## WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

### JULY 2020

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of July 2020 and to date for the term that began on September 1, 2019.

#### Opinions Issued by the Court

The Supreme Court issued opinions resolving 11 cases in July. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>July 2020</u>	<u>Term to Date</u>
Total number of cases resolved by opinion .....	<u>11</u>	<u>81</u>
Attorney disciplinary cases .....	2	29
Judicial disciplinary cases .....	0	1
Bar Admissions .....	0	0
Civil cases .....	6	52
Criminal cases .....	3	23

#### 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 July, the Supreme Court disposed of 50 petitions for review, of which 4 petition was granted. The Supreme Court currently has 192 petitions for review pending.

	<u>July 2020</u>	<u>Term to Date</u>
Petitions for Review filed .....	45	522
Civil cases .....	17	199
Criminal cases .....	28	323

Petition for Review dispositions .....	50	481
Civil cases (petitions granted).....	15 (3)	183 (21)
Criminal cases (petitions granted) .....	35 (1)	298 (19)

### Petitions for Bypass

In July, 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 July also be granted where there is a clear need to hasten the ultimate appellate decision. The Supreme Court currently has one petition for bypass pending.

	<u>July 2020</u>	<u>Term to Date</u>
Petitions for Bypass filed .....	0	9
Civil cases .....	0	8
Criminal cases .....	0	1
Petition for Bypass dispositions.....	0	11
Civil cases (petitions granted).....	0 (0)	10 (0)
Criminal cases (petitions granted) .....	0 (0)	1 (0)

### Requests for Certification

During July 2020, 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>July 2020</u>	<u>Term to Date</u>
Requests for Certification filed.....	0	<u>0</u>
Civil cases .....	0	0
Criminal cases .....	0	0
Request for Certification dispositions.....	<u>0</u>	<u>1</u>
Civil cases (requests granted) .....	0 (0)	0 (0)
Criminal cases (requests granted) .....	0 (0)	1 (1)

## Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 1 matter within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and 2 such cases was reopened. The Supreme Court also received 9 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 3 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 97 regulatory matters and 19 petitions for supervisory writ pending.

<u>Filings</u>	<u>July 2020</u>	<u>Term to Date</u>
Attorney discipline (including reopened cases).....	3	37
Judicial discipline.....	0	1
Bar admission.....	0	1
Petitions for Supervisory Writ .....	9	49
Other (including Original Actions).....	3	9
 <u>Dispositions by Order</u>		
Attorney discipline.....	0	6
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ .....	3	33
Other (including Original Actions).....	0	12

**DECISIONS BY THE  
WISCONSIN SUPREME COURT  
OPINIONS ISSUED DURING JULY 2020**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
#2017AP774-CR	<p><b>State v. Courtney C. Brown</b> <b>THE DECISION OF THE COURT OF APPEALS IS AFFIRMED.</b></p> <p>Rebecca Grassl Bradley, J., delivered the majority opinion of the Court, in which Roggensack, C. J., Ziegler and Kelly, JJ., joined. Rebecca Grassl Bradley, J., filed a concurring opinion with Kelly, J., joined. Dallet, J., filed a dissenting opinion. Ann Walsh Bradley, J., withdrew from participation. Hagedorn, J., did not participate.</p>	07/03/2020
#2018AP319-CR	<p><b>State v. Timothy E. Dobbs.</b> <b>THE DECISION OF THE COURT OF APPEALS IS AFFIRMED.</b></p> <p>Dallet, J., delivered the majority opinion of the Court with respect to Parts I, II, and III.C., in which all Justices joined; the majority opinion of the Court with respect to Part III.A., in which Roggensack, C.J., Ann Walsh Bradley, Ziegler and Hagedorn, JJ., joined; and the majority opinion of the Court with respect to Part III.B., in which Ann Walsh Bradley, Rebecca Grassl Bradley, and Kelly, JJ., joined. Ziegler, J., filed a concurring opinion, in which Roggensack, C. J., and Hagedorn, J., joined. Kelly, J., filed a concurring opinion, in which Rebecca Grassl Bradley, J., joined.</p>	07/03/2020
#2018AP875-CR	<p><b>State v. Ryan M. Muth</b> <b>THE DECISION OF THE COURT OF APPEALS IS AFFIRMED IN PART, REVERSED IN PART.</b></p> <p>Roggensack, C. J., announced the mandate of the Court, and delivered an opinion, in which Ziegler, J., joined as to Parts II.A, B and D.,</p>	07/07/2020

except for ¶¶58-60, and in which Kelly, J., joined as to Parts II.A., B., and D. Dallet, J., filed a concurring opinion, in which Ann Walsh Bradley and Rebecca Grassl Bradley, JJ., joined, and in which Ziegler, J., joined as to ¶¶63-70 and ¶¶72-28. Kelly, J., filed an opinion concurring in part and dissenting in part, in which Hagedorn, J., joined as to Parts I. and II. Hagedorn, J., filed a dissenting opinion.

#2016AP2082 &  
#2017AP634

07/09/2020

**Kathleen Papa v. DHS**  
**THE DECISION OF THE COURT OF APPEALS IS REVERSED IN PART, AFFIRMED IN PART AND THE CAUSE IS REMANDED TO THE CIRCUIT COURT FOR FURTHER PROCEEDINGS CONSISTENT WITH THIS OPINION.**

Ziegler, J., delivered the opinion of the Court, in which Roggensack, C. J. and Ann Walsh Bradley and Dallet, JJ., joined, and in which Rebecca Grassl Bradley and Kelly, JJ., joined except for ¶¶46-48; Kelly, J., filed an opinion concurring in part and dissenting in part, in which Rebecca Grassl Bradley, J., joined. Hagedorn, J., did not participate.

#2019AP614-LV  
#20AP622

07/09/2020

**Service Employees International Union (SEIU), Local 1 v. Robin Vos.**  
**THE JUDGMENT OF THE CIRCUIT COURT IS AFFIRMED IN PART AND REVERSED IN PART, THE TEMPORARY INJUNCTION IS VACATED IN PART, AND THE CAUSE IS**

**REMANDED FOR FURTHER  
PROCEEDINGS CONSISTENT  
WITH THIS OPINION AND THE  
OPINION OF JUSTICE DANIEL  
KELLY.**

The opinion of the Court is being announced in two writings. Hagedorn, J., delivered a majority opinion of the Court addressing all issues other than the provisions of 2017 Wis. Act 369 concerning guidance documents. This majority opinion of the Court with respect to Part II.E.2-4., in which all Justices joined; and a majority opinion of the Court with respect to Parts I, II.A.-D., II.E.1., and III, in which Roggensack, C. J., Ziegler, Rebecca Grassl Bradley, and Kelly, JJ., joined. Kelly, J, delivered a majority opinion of the Court with respect to the provisions of 2017 Wis. Act 369 concerning guidance documents, in which Ann Walsh Bradley, Rebecca Grassl Bradley, and Dallet, JJ., joined. Roggensack, C. J., filed an opinion concurring in part and dissenting in part. Dallet, J., filed an opinion concurring in part and dissenting in part, in which Ann Walsh Bradley, J., joined. Hagedorn, J., filed an opinion concurring in part and dissenting in part, in which Ziegler, J., joined.

#2019AP1376-OA

**Nancy Bartlett v. Tony Evers.  
PER CURIAM  
RIGHTS DECLARED; RELIEF  
GRANTED IN PART AND DENIED  
IN PART.**

07/10/2020

Roggensack, C. J., filed an opinion concurring in part and dissenting in part. Ann Walsh Bradley, J., filed an opinion concurring in part and dissenting in part, in which Dallet, J., joined. Kelly, J., filed an opinion concurring in part and dissenting in part, in which Rebecca Grassl Bradley, J., joined. Hagedorn, J., filed a concurring opinion, in which Ziegler, J., joined.

#2019AP2054-OA

**WSBU v. Joel Brennan.  
RELIEF DENIED**

07/10/2020

Hagedorn, J., delivered the majority opinion of the Court, in which Roggensack, C.J., Ann Walsh Bradley, Ziegler and Dallet, JJ., joined. Rebecca Grassl Bradley, J., filed a dissenting opinion, in which Kelly, J., joined.

#2015AP2442-D

**Office of Lawyer Regulation v.  
Wendy Alison Nora.  
PER CURIAM.**

07/14/2020

**IT IS ORDERED** that the license of Wendy Alison Nora to practice law in Wisconsin is suspended for a period of two years, effective April 1, 2020. **IT IS FURTHER ORDERED**, that as a condition of reinstatement, any petition seeking reinstatement from the license suspension imposed in this proceeding must (1) identify each monetary sanction amount that has been imposed on her individually by any court and that is outstanding as of the date of this decision and (2) allege that she has made a good faith effort to pay all such sanction amounts. In addition, Attorney Nora must prove during the

reinstatement proceedings before the referee that she has made a good faith effort to pay all of the sanction amounts identified in her petition. **IT IS FURTHER ORDERED** that no costs shall be imposed upon Wendy Alison Nora in this proceeding. **IT IS FURTHER ORDERED** that the administrative suspension of Wendy Alison Nora's license to practice law in Wisconsin, due to her failure to pay mandatory bar dues and her failure to file a trust account certification, will remain in effect until each reason for the administrative suspension has been rectified pursuant to SCR 22.28(1). **IT IS FURTHER ORDERED** that Wendy Alison Nora shall comply with the provisions of SCR 22.26 concerning the duties of a person whose license to practice law in Wisconsin has been suspended. **IT IS FURTHER ORDERED** that compliance with all conditions of this order is required for reinstatement from the suspension imposed herein. See SCR 22.28(3).

#2019AP565-D

**Office of Lawyer Regulation v.  
Christopher S. Petros  
PER CURIAM.**

07/22/2020

**IT IS ORDERED** that the license of Christopher S. Petros to practice law in Wisconsin is suspended for a period of two years, effective the date of this order. **IT IS FURTHER ORDERED** that if he has not already done so, Christopher S. Petros shall comply with the provisions of SCR 22.26 regarding the duties of a person whose license to practice law in Wisconsin has been



suspended. **IT IS FURTHER ORDERED** that within 60 days of the date of this order, Christopher S. Petros shall pay to the Office of Lawyer Regulation the costs of this proceeding, which are \$4,387.44 as of April 10, 2020. **IT IS FURTHER ORDERED** that within 60 days of the date of this order, Christopher S. Petros shall pay restitution of \$24,000 to the Wisconsin Lawyers' Fund for Client Protection in connection with his misconduct in the matter of A.H. **IT IS FURTHER ORDERED** that the restitution specified above is to be completed prior to paying costs to the Office of Lawyer Regulation. **IT IS FURTHER ORDERED** that the administrative suspension of Christopher S. Petros' license to practice law in Wisconsin for noncompliance with continuing legal education requirements, will remain in effect until the administrative suspension has been rectified pursuant to SCR 22.28(1). **IT IS FURTHER ORDERED** that compliance with all conditions of this order is required for reinstatement. See SCR 22.28(2).

**Kelly, J. did not participate.**