



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

JUNE 2023

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

Opinions Issued by the Court

The Supreme Court issued opinions resolving 19 cases in June. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>June 2023</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>19</u>	<u>63</u>
Attorney disciplinary cases	2	14 ⁱ
Judicial disciplinary cases.....	0	0
Civil cases	8	29
Criminal cases	9	20

Petitions for Review

A total of 63 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 June, the Supreme Court disposed of 54 petitions for review, of which 1 petitions were granted. The Supreme Court currently has 166 petitions for review pending.

	<u>June 2023</u>	<u>Term to Date</u>
Petitions for Review filed	<u>63</u>	<u>486</u>
Civil cases	27	200
Criminal cases	36	286

Petition for Review dispositions	54	487
Civil cases (petitions granted).....	18 (1)	213 (12)
Criminal cases (petitions granted)	36 (0)	274 (7)

Petitions for Bypass

In June, the Supreme Court received 3 petitions for bypass and disposed of 6 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 3 petitions for bypass pending.

	<u>June 2023</u>	<u>Term to Date</u>
Petitions for Bypass filed	<u>3</u>	<u>19</u>
Civil cases	2	15
Criminal cases	1	4
Petition for Bypass dispositions.....	<u>6</u>	<u>18</u>
Civil cases (petitions granted).....	4 (0)	15 (2)
Criminal cases (petitions granted)	2 (0)	3 (0)

Requests for Certification

During June, 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>June 2023</u>	<u>Term to Date</u>
Requests for Certification filed.....	<u>0</u>	<u>1</u>
Civil cases	0	0
Criminal cases	0	1
Request for Certification dispositions.....	<u>0</u>	<u>2</u>
Civil cases (requests granted)	0 (0)	0 (0)
Criminal cases (requests granted)	0 (0)	2 (2)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 3 matters 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 3 petitions 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 40 regulatory matters and 7 petitions for supervisory writ pending.

	<u>June 2023</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	3	17 ⁱ
Judicial discipline.....	0	0
Bar admission.....	0	1
Petitions for Supervisory Writ	3	45
Other (including Original Actions).....	0	1
 <u>Dispositions by Order</u>		
Attorney discipline.....	0	4
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	3	56 ⁱ
Other (including Original Actions).....	0	6

DECISIONS BY THE
WISCONSIN SUPREME COURT
OPINIONS ISSUED DURING JUNE 2023

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2019AP1086	<u>Allsop Venture Partners III v. Murphy Desmond SC</u> THE DECISION OF THE COURT OF APPEALS IS AFFIRMED. HAGEDORN, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, DALLET, and KAROFISKY, JJ., joined. ZIEGLER, C.J., filed a dissenting opinion in which ROGGENSACK and REBECCA GRASSL BRADLEY, JJ., joined.	06-02-2023
2020AP819-CR	<u>State v. Wilson P. Anderson</u> THE DECISION OF THE COURT OF APPEALS IS REVERSED AND CAUSE REMANDED. PER CURIAM ROGGENSACK, J., filed a dissenting opinion.	06-02-2023
2021AP1764	<u>Thomas G. Miller v. Zoning Board of Appeals of the Village of Lyndon Station</u> THE DECISION OF THE COURT OF APPEALS IS AFFIRMED. DALLET, J., delivered the majority opinion for a unanimous Court.	06-06-2023
2018AP2005-CR	<u>State v. Garland Dean Barnes</u> THE DECISION OF THE COURT OF APPEALS IS AFFIRMED. REBECCA GRASSL BRADLEY, J., delivered the majority opinion for a unanimous Court. ZIEGLER, C.J., filed a concurring opinion, in which ROGGENSACK, J., joined.	06-06-2023
2021AP462-CR	<u>State v. Michael K. Fermanich</u> THE DECISION OF THE COURT OF APPEALS IS REVERSED. HAGEDORN, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, ROGGENSACK, DALLET, and KAROFISKY, JJ., joined. DALLET, J., filed a concurring opinion. ZIEGLER, C.J., filed a dissenting opinion in which REBECCA GRASSL BRADLEY, J., joined.	06-14-2023

2019AP1085 & 2019AP1086	<p><u>5 Walworth, LLC v. Engerman Contracting, Inc.</u> THE DECISION OF THE COURT OF APPEALS IS AFFIRMED. HAGEDORN, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, DALLET, and KAROFISKY, JJ., joined, and in which ZIEGLER, C.J., joined except for ¶¶5, 7, 39-42, and 49. ROGGENSACK, filed a concurring opinion. ZIEGLER, C.J., filed an opinion concurring in part and dissenting in part, in which REBECCA GRASSL BRADLEY, J., joined.</p>	06-20-2023
2021AP809-CR	<p><u>State v. Junior L. Williams-Holmes</u> THE DECISION OF THE COURT OF APPEALS IS REVERSED AND REMANDED. HAGEDORN, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, DALLET, and KAROFISKY, JJ., joined. ZIEGLER, C.J., filed a dissenting opinion in which ROGGENSACK and REBECCA GRASSL BRADLEY, JJ., joined.</p>	06-20-2023
2021AP938-CR	<p><u>State v. Quaheem O. Moore</u> THE DECISION OF THE COURT OF APPEALS IS REVERSED. HAGEDORN, J., delivered the majority opinion of the Court, in which ZIEGLER, C.J., ROGGENSACK, and REBECCA GRASSL BRADLEY, JJ., joined. DALLET, J., filed a dissenting opinion, in which ANN WALSH BRADLEY and KAROFISKY, JJ., joined.</p>	06-20-2023
2020AP2012-CR	<p><u>State v. James P. Killian</u> THE DECISION OF THE COURT OF APPEALS IS REVERSED AND CAUSE REMANDED. ZIEGLER, C.J., delivered the majority opinion of the Court, in which ROGGENSACK, DALLET, HAGEDORN, and KAROFISKY, JJ., joined. ANN WALSH BRADLEY, J., filed a dissenting opinion, in which REBECCA GRASSL BRADLEY, J., joined.</p>	06-21-2023
2021AP69-FT	<p><u>Greenwald Family Limited Partnership v. Village of Mukwonago</u> THE DECISION OF THE COURT OF APPEALS IS AFFIRMED. ANN WALSH BRADLEY, J., delivered the majority opinion of the Court, in which DALLET, HAGEDORN, and KAROFISKY, JJ., joined. ZIEGLER, C.J., filed a dissenting opinion in which ROGGENSACK and REBECCA GRASSL BRADLEY, JJ., joined.</p>	06-21-2023

2021AP1732-CR	<p><u>State v. Eric J. Debrow</u> THE DECISION OF THE COURT OF APPEALS IS REVERSED. KAROFSKY, J., delivered the majority opinion of the Court, in which ZIEGLER, C.J., ANN WALSH BRADLEY, DALLET, and HAGEDORN, JJ., joined. ROGGENSACK, J., filed a concurring opinion in which REBECCA GRASSL BRADLEY, J., joined.</p>	06-23-2023
2022AP12-D	<p><u>Office of Lawyer Regulation v. Brian T. Stevens</u> PER CURIAM Attorney disciplinary proceedings. Attorney's license suspended.</p>	06-27-2023
2022AP1212-D	<p><u>Office of Lawyer Regulation v. William H. Green</u> PER CURIAM Attorney disciplinary proceedings. Attorney's license suspended.</p>	06-27-2023
2022AP1233	<p><u>Wisconsin Property Taxpayers, Inc. v. Town of Buchanan</u> THE DECISION OF THE CIRCUIT COURT IS AFFIRMED. REBECCA GRASSL BRADLEY, J., delivered the majority opinion for a unanimous Court. REBECCA GRASSL BRADLEY, J., filed a concurring opinion in which ROGGENSACK, J. joined.</p>	06-29-2023
2021AP267-CR	<p><u>State v. Mitchell D. Green</u> THE DECISION OF THE COURT OF APPEALS IS REVERSED. REBECCA GRASSL BRADLEY, J., delivered the majority opinion of the Court, in which ZIEGLER, C.J., ROGGENSACK, and KAROFSKY, JJ., joined. ANN WALSH BRADLEY, J., filed a dissenting opinion, in which DALLET, J., joined. HAGEDORN, J., filed a dissenting opinion, in which DALLET, J., joined.</p>	06-29-2023
2022AP140	<p><u>Walworth County v. M.R.M.</u> THE DECISION OF THE CIRCUIT COURT IS REVERSED. DALLET, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, HAGEDORN, and KAROFSKY, JJ., joined. REBECCA GRASSL BRADLEY, J., filed a concurring opinion. ZIEGLER, C.J., filed a dissenting opinion. ROGGENSACK, J., filed a dissenting opinion.</p>	06-29-2023

2022AP652

State v. A. G.

06-30-2023

THE DECISION OF THE COURT OF APPEALS IS REVERSED.

REBECCA GRASSL BRADLEY, J., announced the mandate of the Court, and delivered an opinion, in which ZIEGLER, C.J., joined. HAGEDORN, J., filed a concurring opinion, in which KAROFISKY, J., joined. DALLET, J., filed a dissenting opinion, in which ANN WALSH BRADLEY, J., joined. PATIENCE DRAKE ROGGENSACK, J., did not participate.

2021AP373

Derrick A. Sanders v. State of Wisconsin Claims Board

06-30-2023

THE DECISION OF THE COURT OF APPEALS IS REVERSED.

REBECCA GRASSL BRADLEY, J., announced the mandate of the Court, and delivered an opinion, in which ZIEGLER, C.J., and ROGGENSACK, J., joined. HAGEDORN, J., filed a concurring opinion. KAROFISKY, J., filed a dissenting opinion, in which ANN WALSH BRADLEY and DALLET, JJ., joined.

ⁱ Appears to be a calculation error from February report; corrected here.