



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

JULY 2022

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

Opinions Issued by the Court

The Supreme Court issued opinions resolving 15 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 2022</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>15</u>	<u>78</u>
Attorney disciplinary cases	1	13
Judicial disciplinary cases.....	0	0
Bar Admissions	0	0
Civil cases	10	45
Criminal cases	4	20

Petitions for Review

A total of 43 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 5 petitions for review, of which no petitions were granted. The Supreme Court currently has 146 petitions for review pending.

	<u>July 2022</u>	<u>Term to Date</u>
Petitions for Review filed	43	507
Civil cases	20	221
Criminal cases	23	286

Petition for Review dispositions	5	580
Civil cases (petitions granted).....	4 (0)	247 (29)
Criminal cases (petitions granted)	1 (0)	333 (20)

Petitions for Bypass

In July, the Supreme Court received one petition 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 2 petitions for bypass pending.

	<u>July 2022</u>	<u>Term to Date</u>
Petitions for Bypass filed	1	11
Civil cases	1	10
Criminal cases	0	1
 Petition for Bypass dispositions.....	 0	 12
Civil cases (petitions granted).....	0 (0)	11 (5)
Criminal cases (petitions granted)	0 (0)	1 (0)

Requests for Certification

During July 2022, the Supreme Court received one request 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 one request for certification pending.

	<u>July 2022</u>	<u>Term to Date</u>
Requests for Certification filed.....	1	<u>5</u>
Civil cases	0	2
Criminal cases	1	3
 Request for Certification dispositions.....	 <u>0</u>	 <u>5</u>
Civil cases (requests granted)	0 (0)	3 (2)
Criminal cases (requests granted)	0 (0)	2 (2)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 4 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and one such case was reopened. The Supreme Court also received 5 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 no 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 85 regulatory matters and 18 petitions for supervisory writs pending.

	<u>July 2022</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	5	20
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	5	50
Other (including Original Actions).....	0	4
 <u>Dispositions by Order</u>		
Attorney discipline.....	0	0
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	3	46
Other (including Original Actions).....	0	1

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

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
#2019AP2065-CR	<u>State v. Richard Michael Arrington</u> THE DECISION OF THE COURT OF APPEALS IS REVERSED. ROGGENSACK, J., delivered the majority opinion of the Court, in which ZIEGLER, C.J., REBECCA GRASSL BRADLEY, and HAGEDORN, JJ., joined. DALLET, J., filed a concurring opinion, in which ANN WALSH BRADLEY and KAROFSKY, JJ., joined.	07/01/2022
#2020AP29-CR	<u>State v. Westley D. Whitaker</u> THE DECISION OF THE COURT OF APPEALS IS AFFIRMED. KAROFSKY, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, DALLET, and HAGEDORN, JJ., joined. ROGGENSACK, J., filed a concurring opinion in which ZIEGLER, C.J., joined. REBECCA GRASSL BRADLEY, J., filed a concurring opinion. HAGEDORN, J., filed a concurring opinion.	07/05/2022
#2020AP307	<u>Gregory M. Backus v. Waukesha County</u> REVERSED AND CAUSE REMANDED. KAROFSKY, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, DALLET, and HAGEDORN, JJ., joined. REBECCA GRASSL BRADLEY, J., filed a dissenting opinion, in which ZIEGLER, C.J., and ROGGENSACK, J., joined.	07/05/2022

#2018AP942-CR

State v. Robert Daris Spencer

07/06/2022

THE DECISION OF THE COURT OF APPEALS IS AFFIRMED IN PART AND REVERSED IN PART.

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

#2020AP192-CR

State v. Chrystul D. Kizer

07/06/2022

THE DECISION OF THE COURT OF APPEALS IS AFFIRMED.

DALLET, J., delivered the majority opinion of the Court with respect to all parts except ¶¶27-29 & n. 9-11, in which **ANN WALSH BRADLEY, REBECCA GRASSL BRADLEY**, and **KAROFSKY, JJ.**, joined, and an opinion with respect to ¶¶27-29 & n. 9-11, in which **ANN WALSH BRADLEY** and **KAROFSKY, JJ.**, joined. **REBECCA GRASSL BRADLEY, J.**, filed a concurring opinion. **ROGGENSACK, J.**, filed a dissenting opinion in which **ZIEGLER, C.J.**, and **HAGEDORN, J.**, joined.

#2019AP96

Friends of Frame Park, U.A. v. City of Waukesha

07/06/2022

THE DECISION OF THE COURT OF APPEALS IS REVERSED.

HAGEDORN, J., delivered the majority opinion of the Court with respect to ¶3, in which **ZIEGLER, C.J., ROGGENSACK,** and **REBECCA GRASSL BRADLEY, JJ.**, joined, an opinion with respect to ¶¶13-24, in which **ZIEGLER, C.J.,** and **ROGGENSACK, J.**, joined, and an opinion with respect to ¶¶1-2, 4-12, 25-38. **REBECCA GRASSL BRADLEY, J.**, filed a concurring opinion, in which **ZIEGLER, C.J.,** and **ROGGENSACK, J.**, joined. **KAROFKY, J.**, filed a dissenting opinion, in which **ANN WALSH BRADLEY** and **DALLET, JJ.**, joined.

#2020AP925

James Cobb v. Gary A. King

07/06/2022

PER CURIAM: THE REVIEW OF THE DECISION OF THE COURT OF APPEALS IS DISMISSED AS IMPROVIDENTLY GRANTED.

ANN WALSH BRADLEY, J., filed a concurring opinion in which **DALLET, J.**, joined. **REBECCA GRASSL BRADLEY, J.**, filed a dissenting opinion. **HAGEDORN, J.**, filed a dissenting opinion.

#2021AP1321-LV
& #2021AP1325

County of Dane v. PSC of Wisconsin

07/07/2022

THE ORDER OF THE CIRCUIT COURT IS REVERSED.

ROGGENSACK, J., delivered the majority opinion of the Court with respect to ¶4, in which **ZIEGLER, C.J., REBECCA GRASSL BRADLEY,** and **HAGEDORN, JJ.**, joined, and an opinion, in which **ZIEGLER, C.J., REBECCA GRASSL BRADLEY, JJ.**, joined. **HAGEDORN, J.**, filed a concurring opinion. **KAROFKY, J.**, filed a dissenting opinion, in which **ANN WALSH BRADLEY** and **DALLET, JJ.**, joined.

#2018AP2205

State v. C.G.

07/07/2022

AFFIRMED.

REBECCA GRASSL BRADLEY, J., delivered the majority opinion of the Court with respect to all parts except ¶¶6 and 36–46, in which **ZIEGLER, C.J., ROGGENSACK,** and **HAGEDORN, JJ.**, joined, and an opinion with respect to ¶¶6 and 36–46, in which **ZIEGLER, C.J.,** and **ROGGENSACK, J.**, joined. **HAGEDORN, J.**, filed a concurring opinion. **ANN WALSH BRADLEY, J.**, filed a dissenting opinion, in which **DALLET** and **KAROFKY, JJ.**, joined.

#2022AP91

Richard Teigen v. Wisconsin Elections Commission

07/08/2022

AFFIRMED.

REBECCA GRASSL BRADLEY, J., delivered the majority opinion of the Court with respect to ¶¶4–10, 12–13, 52–63, and 73–85, in which **ZIEGLER, C.J., ROGGENSACK,** and **HAGEDORN, JJ.**, joined, and an opinion with respect to ¶¶1–3, 11, 14–51, 64–72, 86, n.29, and 87, in which **ZIEGLER, C.J.,** and **ROGGENSACK, J.**, joined. **ROGGENSACK, J.**, filed a concurring opinion. **REBECCA GRASSL BRADLEY, J.**, filed a concurring opinion, in which **ZIEGLER, C.J.,** and **ROGGENSACK, J.**, joined. **HAGEDORN, J.**, filed a concurring opinion. **ANN WALSH BRADLEY, J.**, filed a dissenting opinion, in which **DALLET** and **KAROFKY, JJ.**, joined.

#2020AP1032

John Doe 1 v. Madison Metro School District

07/08/2022

THE DECISION OF THE COURT OF APPEALS IS AFFIRMED AND THE CAUSE IS REMANDED TO THE CIRCUIT COURT.

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

#2021AP1343
& #2021AP1382

07/08/2022

Jeffrey Becker v. Dane County

**THE ORDER OF THE CIRCUIT COURT
IS AFFIRMED, AND THE CAUSE
REMANDED FOR FURTHER
PROCEEDINGS CONSISTENT WITH
THIS OPINION.**

KAROFSKY, J., delivered the majority opinion of the Court with respect to ¶¶1-28 and 44-45, in which **ANN WALSH BRADLEY, DALLET**, and **HAGEDORN, JJ.**, joined, and an opinion with respect to ¶¶29-43, in which **ANN WALSH BRADLEY** and **DALLET, 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.