



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

NOVEMBER 2022

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

Opinions Issued by the Court

The Supreme Court issued opinions resolving 7 cases in November. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>November 2022</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	7	7
Attorney disciplinary cases	3	3
Judicial disciplinary cases.....	0	0
Bar Admissions	0	0
Civil cases	2	2
Criminal cases	2	2

Petitions for Review

A total of 47 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 November, the Supreme Court disposed of 49 petitions for review, of which 5 petitions were granted. The Supreme Court currently has 137 petitions for review pending.

	<u>November 2022</u>	<u>Term to Date</u>
Petitions for Review filed	47	115
Civil cases	20	50
Criminal cases.....	27	65

Petition for Review dispositions	49	145
Civil cases (petitions granted).....	23 (4)	60 (7)
Criminal cases (petitions granted)	26 (1)	85 (3)

Petitions for Bypass

In November, the Supreme Court received one petition for bypass and disposed of 2 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 November also be granted where there is a clear need to hasten the ultimate appellate decision. The Supreme Court currently has 4 petitions for bypass pending.

	<u>November 2022</u>	<u>Term to Date</u>
Petitions for Bypass filed	1	5
Civil cases	1	5
Criminal cases	0	0
Petition for Bypass dispositions.....	2	3
Civil cases (petitions granted).....	2 (0)	3 (0)
Criminal cases (petitions granted)	0 (0)	0 (0)

Requests for Certification

During November 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 no requests for certification pending.

	<u>November 2022</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 two matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) was filed and no such case was reopened. The Supreme Court also received 2 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 90 regulatory matters and 15 petitions for supervisory writs pending.

November 2022 Term to Date

Filings

Attorney discipline (including reopened cases).....	2	2
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	2	18
Other (including Original Actions).....	0	0

Dispositions by Order

Attorney discipline.....	0	0
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	3	17
Other (including Original Actions).....	0	1

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

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
#2020AP128	<p><u>Robert L. Slamka v. General Heating and Air Conditioning:</u> 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.</p>	11/04/2022
#2020AP1696	<p><u>Saint John's Communities, Inc. v. City of Milwaukee:</u> THE DECISION OF THE COURT OF APPEALS IS AFFIRMED. ZIEGLER, C. J., delivered the majority opinion for a unanimous Court.</p>	11/22/2022
#2019AP2184-CR	<p><u>State v. Jeffrey L. Moeser:</u> THE DECISION OF THE COURT OF APPEALS IS AFFIRMED. ZIEGLER, C.J., delivered the majority opinion of the Court, in which ROGGENSACK, REBECCA GRASSL BRADLEY, HAGEDORN, and KAROFSKY, JJ., joined. HAGEDORN, J., filed a concurring opinion, in which KAROFSKY, J., joined. ANN WALSH BRADLEY, J., filed a dissenting opinion, in which DALLET, J., joined.</p>	11/23/2022

#2020AP1014-CR

State v. Christopher D. Wilson:
THE DECISION OF THE COURT OF APPEALS IS REVERSED, AND THE CAUSE IS REMANDED TO THE CIRCUIT COURT.
ANN WALSH BRADFLEY, J., delivered the majority opinion for a unanimous Court.

11/23/2022

#2021AP33-D

Office of Lawyer Regulation v. Terry L. Constant:
PER CURIAM.
IT IS ORDERED that the license of Terry L. Constant to practice law in Wisconsin is revoked, effective the date of this order. **IT IS FURTHER ORDERED** that within 60 days of the date of this order, Terry L. Constant shall pay restitution as follows: \$5,757.87 to S.R.; \$225.70 to M.R.; and \$47,557.30 to the Wisconsin Lawyers' Fund for Client Protection for the claims of S.C., after full restitution has been made to S.R. and M.R. **IT IS FURTHER ORDERED** that within 60 days of the date of this order, Terry L. Constant shall pay to the Office of Lawyer Regulation the costs of this proceeding, which are \$4,135.06 as of June 20, 2022. **IT IS FURTHER ORDERED** that payment of restitution is to be completed prior to paying costs to the Office of Lawyer Regulation. **IT IS FURTHER ORDERED** that all pleadings and documents filed by the parties in this matter that have been marked sealed or confidential shall remain so until further order of the court. **IT IS FURTHER ORDERED** that Terry L. Constant shall comply, if he has not already done so, with the requirements of SCR 22.26 pertaining to the duties of a person whose license to practice law in Wisconsin has been revoked. **IT IS FURTHER ORDERED** that the administrative suspension of Terry L. Constant's license to practice law in Wisconsin, due to his failure to pay mandatory bar dues and for failure to file Office of Lawyer Regulation trust account certification, will remain in effect until each reason for the

11/23/2022

administrative suspension has been rectified pursuant to SCR 22.28(1).

ZIEGLER, C.J. filed a concurring opinion, joined by **REBECCA GRASSL BRADLEY, HAGEDORN and KAROFISKY, JJ.**

#2022AP998-D

Office of Lawyer Regulation v. Brett R. Blomme:

11/25/2022

PER CURIAM.

IT IS ORDERED that the petition for consensual license revocation is granted. **IT IS FURTHER ORDERED** that the license of Brett R. Blomme to practice law in Wisconsin is revoked, effective the date of this order. **IT IS FURTHER ORDERED** that, to the extent he has not already done so, Brett R. Blomme shall comply with the provisions of SCR 22.26 concerning the duties of a person whose license to practice law in Wisconsin has been revoked. **IT IS FURTHER ORDERED** that the administrative suspension of Brett R. Blomme's license to practice law in Wisconsin, due to his failure to pay state bar dues and failure to comply with trust account certification requirements, will remain in effect until each reason for the administrative suspension has been rectified pursuant to SCR 22.28(1).

ZIEGLER, C. J., filed a concurring opinion in which **REBECCA GRASSL BRADLEY, HAGEDORN and KAROFISKY, JJ.**, joined. **ROGGENSACK, J.**, filed a concurring opinion in which **REBECCA GRASSL BRADLEY and KAROFISKY, JJ.**, joined.

