



# Supreme Court of Wisconsin

OFFICE OF THE CLERK

110 E. MAIN STREET, SUITE 215

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

Patience Drake Roggensack  
Chief Justice

Telephone (608) 266-1880  
TTY Users: Call WI TRS at 1-800-947-3529; request (608) 266-1880  
Fax (608) 267-0640  
Web Site: www.wicourts.gov

J. Denis Moran  
Director of State Courts

Diane M. Fremgen  
Clerk of Supreme Court

## WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

### May 2017

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

#### Opinions Issued by the Court

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

	<u>May 2017</u>	<u>Term to Date</u>
Total number of cases resolved by opinion .....	<u>7</u>	<u>57</u>
Attorney disciplinary cases .....	4	25
Judicial disciplinary cases.....	0	0
Bar admission cases.....	0	0
Civil cases .....	3	17
Criminal cases .....	0	15

#### Petitions for Review

A total of 64 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 May, the Supreme Court disposed of 81 petitions for review, of which 6 petitions were granted. The Supreme Court currently has 145 petitions for review pending.

	<u>May 2017</u>	<u>Term to Date</u>
Petitions for Review filed .....	<u>64</u>	<u>505</u>
Civil cases .....	31	242
Criminal cases .....	33	263

Petition for Review dispositions .....	<u>81</u>	<u>592</u>
Civil cases (petitions granted).....	37 (2)	280 (27)
Criminal cases (petitions granted) .....	44 (4)	312 (29)

Petitions for Bypass

In May 2017, the Supreme Court received 2 petitions for bypass and disposed of 1 petition 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 2 petition for bypass pending.

	<u>May 2017</u>	<u>Term to Date</u>
Petitions for Bypass filed .....	<u>2</u>	<u>6</u>
Civil cases .....	1	4
Criminal cases .....	1	2
Petition for Bypass dispositions.....	<u>1</u>	<u>6</u>
Civil cases (petitions granted).....	0 (0)	5 (1)
Criminal cases (petitions granted) .....	1 (0)	1 (0)

Requests for Certification

During May 2017, the Supreme Court received 1 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 1 request for certification pending.

	<u>May 2017</u>	<u>Term to Date</u>
Requests for Certification filed.....	<u>1</u>	<u>3</u>
Civil cases .....	0	1
Criminal cases .....	1	2
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, there were 0 matters filed within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) and no such cases were reopened. The Supreme Court also received 6 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 32 regulatory matters and 8 petitions for supervisory writ pending.

	<u>May 2017</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	0	41
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ .....	6	32
Other (including Original Actions).....	0	0
 <u>Dispositions by Order</u>		
Attorney discipline.....	0	4
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ .....	2	28
Other (including Original Actions).....	0	4

**DECISIONS BY THE  
WISCONSIN SUPREME COURT**

**OPINIONS ISSUED DURING May 2017**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
2016AP663-D	Office of Lawyer Regulation (OLR) v. John H. Peiss License Revoked Per Curiam <sup>1</sup> <u>Concur</u> : Abrahamson, J.	05/11/2017
2016AP2267-D	OLR v. Adam A. Gillette License Suspended Per Curiam <u>Concur/Dissent</u> : Abrahamson, J.	05/11/2017
2013AP2742-D	OLR v. Thomas O. Mulligan License Reinstated Per Curiam A.W. Bradley, J. and Ziegler, J. did not participate.	05/18/2017
2016AP2452-D	OLR v. John R. Dade Public Reprimand Per Curiam	05/23/2017

**CIVIL AND CRIMINAL CASES**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
2014AP2236	Carolyn Moya v. Healthport Technologies, LLC The decision of the court of appeals is reversed and remanded. <u>Majority Opinion</u> : Gableman, J. <u>Dissent</u> : Ziegler, J. R.G. Bradley, J. and Kelly, J. did not participate.	05/04/2017

---

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

2015AP1055	<p>Lela M. Operton v. LIRC</p> <p>The decision of the court of appeals is affirmed and remanded.</p> <p><u>Majority Opinion</u>: Roggensack, C.J.</p> <p><u>Concur</u>: Abrahamson, J., joined by A.W. Bradley, J.</p> <p><u>Concur</u>: Ziegler, J.</p> <p><u>Concur</u>: R.G. Bradley, J., joined by Gableman, J. and Kelly, J.</p>	05/04/2017
2015AP491	<p>AllEnergy Corporation v. Trempealeau County Environment &amp; Land Use Committee</p> <p>The decision of the court of appeals is affirmed.</p> <p><u>Lead Opinion</u>: Abrahamson, J.</p> <p><u>Concur</u>: Ziegler, J., joined by Roggensack, C.J.</p> <p><u>Dissent</u>: Kelly, J., joined by Gableman, J. and R.G. Bradley, J.</p>	05/31/2017