



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

JUNE 2018

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of June 2018 and to date for the term that began on September 1, 2017.

Opinions Issued by the Court

The Supreme Court issued opinions resolving 20 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 2018</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>20</u>	<u>155</u>
Attorney disciplinary cases	2	38
Judicial disciplinary cases	1	2
Bar Admissions	0	0
Civil cases	14	51
Criminal cases	6	25

Petitions for Review

A total of 88 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 67 petitions for review, of which 5 petition were granted. The Supreme Court currently has 217 petitions for review pending.

	<u>June 2018</u>	<u>Term to Date</u>
Petitions for Review filed	88	620
Civil cases	34	274
Criminal cases	54	346

Petition for Review dispositions	67	623
Civil cases (petitions granted).....	21 (3)	294 (30)
Criminal cases (petitions granted)	41 (2)	356 (12)

Petitions for Bypass

In June, the Supreme Court received no petitions 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 may also be granted where there is a clear need to hasten the ultimate appellate decision. The Supreme Court currently has 0 petitions for bypass pending.

	<u>June 2018</u>	<u>Term to Date</u>
Petitions for Bypass filed	0	14
Civil cases	0	7
Criminal cases	0	7
Petition for Bypass dispositions.....	2	16
Civil cases (petitions granted).....	1 (0)	8 (2)
Criminal cases (petitions granted)	1 (0)	8 (3)

Requests for Certification

During June 2018, the Supreme Court received 0 requests for certification and disposed of 0 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 requests for certification pending.

	<u>June 2018</u>	<u>Term to Date</u>
Requests for Certification filed	0	<u>6</u>
Civil cases	0	4
Criminal cases	0	2
Request for Certification dispositions.....	<u>4</u>	<u>9</u>
Civil cases (requests granted)	4 (2)	5 (4)
Criminal cases (requests granted)	0 (0)	4 (4)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 7 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and 1 such cases were reopened. The Supreme Court also received 0 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 action was 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 33 regulatory matters and 5 petitions for supervisory writ pending.

	<u>June 2018</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	7	54
Judicial discipline.....	1	2
Bar admission.....	0	2
Petitions for Supervisory Writ	0	35
Other (including Original Actions).....	1	5
 <u>Dispositions by Order</u>		
Attorney discipline.....	0	4
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	5	41
Other (including Original Actions).....	0	6

**DECISIONS BY THE
WISCONSIN SUPREME COURT
OPINIONS ISSUED DURING JUNE 2018**

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2017AP1595-CQ	Winebow. Inc. v. Capitol-Husting Co., Inc. Certified Question Answered in the Negative and Cause remanded to the United States Court of Appeals for the Seventh Circuit. <u>Majority Opinion:</u> Bradley, A.W., J <u>Dissent:</u> Bradley, R.G., J, Abrahamson, J. and Kelly, J.	06/05/2018
2015AP001258	Golden Sands Dairy, LLC v. Town of Saratoga Court of Appeals reversed. <u>Majority Opinion:</u> Gableman, J. <u>Dissent:</u> Abrahamson, J. and Bradley, A.W., J.	06/05/2018
2016AP1608	Richard Forshee v. Lee Neuschwander Court of Appeals affirmed. <u>Majority Opinion:</u> Roggensack, C.J. <u>Concurrence:</u> Abrahamson, J., Kelly, J (joins majority except to the extent it is inconsistent with this concurrence) and Bradley, R.G., J. <u>Dissent:</u> Bradley, A. W.,J.	06/05/2018
2016AP2196-CR	State v. Steven T. Delap Court of Appeals is affirmed <u>Majority Opinion:</u> Abrahamson, J. <u>Concurrence:</u> Gableman, J. and Kelly, J.	06/6/2018
2015AP1858	Voters with Facts v. City of Eau Claire Court of Appeals is affirmed and the cause is remanded for further proceedings consistent with this opinion. <u>Majority Opinion:</u> Ziegler, J. <u>Dissent:</u> Bradley, R. G., J. and <u>Dissent:</u> Kelly, J.	06/06/2018

2017AP1933-D	Office of Lawyer Regulation v. Sarah Clement Public Reprimand; Pay costs and Restitution. Per Curiam ¹	06/15/2018
2017AP1735-J	Wisconsin Judicial Commission v. Hon. Frank M. Calvert. 15 day suspension Per Curiam	06/15/2018
2016AP1745-CR	State v. Michael L. Cox Circuit court is affirmed. <u>Majority Opinion:</u> Kelly, J. Bradley, A. W., J. did not participate	06/15/2018
2015AP1799-CR	State v. Anthony Pico Court of Appeals affirmed. <u>Majority Opinion:</u> Kelly, J. <u>Concurrence:</u> Bradley, R.G., J and Kelly, J. <u>Dissent:</u> Abrahamson, J and Bradley, A. W., J .	06/15/2018
2017AP1887-D	Office of Lawyer Regulation v. Suzanne E. Kitto Suspension for 60 days. Per Curiam.	06/19/2018
2016AP537	Adams Outdoor Advertising Limited Partnership v. City of Madison Court of Appeals is affirmed. <u>Majority:</u> Bradley, A. W., J <u>Dissent:</u> Bradley, R. G., J., Roggensack, C.J. and Kelly, J.	06/19/2018
2016AP2017-CR	State v. Andre L. Scott Circuit Court is reversed and cause remanded. <u>Majority Opinion:</u> Abrahamson, J.	06/20/2018

¹ “Per Curiam” means “by the court.” Opinions issued per curiam are handed down by the court as a whole.

2016AP1409-CR	<p>State v. Joseph T. Langlois Court of Appeals affirmed <u>Majority Opinion:</u> Ziegler, J <u>Dissent:</u> Abrahamson, J. <u>Dissent:</u> Bradley, R. G., J.</p>	06/20/2018
2016AP1365	<p>Wisconsin DWD v. Wisconsin LIRC Court of Appeals is reversed. <u>Majority Opinion:</u> Abrahamson, J.</p>	06/26/2018
2016AP355	<p>Wisconsin Bell, Inc., v. LIRC Court of Appeals is reversed and the case is dismissed <u>Majority Opinion:</u> Kelly, J. <u>Dissent:</u> Bradley, A.W., J and Abrahamson, J.</p>	06/26/2018
2015AP2019	<p>Tetra Tech, EC, Inc. v. Wisconsin Department of Revenue Court of Appeals is affirmed. <u>Majority Opinion:</u> Kelly, J. <u>Concurrence:</u> Bradley, A.W., J. and Abrahamson, J. <u>Concurrence:</u> Ziegler, J. and Roggensack, C.J. (in part I) <u>Concurrence:</u> Gableman, J. and Roggensack C.J.</p>	06/26/2018
2016AP1599	<p>E. Glenn, Porter III v. State of Wisconsin Court of Appeals is affirmed. <u>Majority Opinion:</u> Abrahamson, J. <u>Dissent:</u> (Co-authored) Bradley, R. G., J. and Kelly, J.</p>	06/27/2018
2014AP2812	<p>Ascaris Mayo v. Wisconsin Injured Patients and Families Compensation Fund Court of Appeals is reversed and cause remanded to the Circuit Court. <u>Majority Opinion:</u> Roggensack, C.J. <u>Concurrence:</u> Bradley, R.G., J. and Kelly, J. <u>Dissent:</u> Bradley, A.W., J. and Abrahamson, J.</p>	06/27/2018
2015AP2457	<p>American Family Ins. Co., v. Cintas Corp. No. 2 Court of Appeals is affirmed <u>Majority Opinion:</u> Kelly, J. <u>Dissent:</u> Bradley, A. W. J. and Abrahamson, J.</p>	06/28/2018
2014AP2187-CR	<p>State v. Kyle Lee Monahan Court of Appeals is affirmed. <u>Majority Opinion:</u> Gableman, J. <u>Dissent:</u> Bradley, R.G., J., Abrahamson, J. and Bradley, A. W., J.</p>	06/28/2018