



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215
P.O. BOX 1688
MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880
TTY: (800) 947-3529
Facsimile (608) 267-0640
Web Site: www.wicourts.gov

DISTRICT II

May 17, 2017

To:

Hon. Allan B. Torhorst
Circuit Court Judge
Racine County Courthouse
730 Wisconsin Avenue
Racine, WI 53403

Samuel A. Christensen
Clerk of Circuit Court
Racine County Courthouse
730 Wisconsin Avenue
Racine, WI 53403

Patricia J. Hanson
District Attorney
730 Wisconsin Avenue
Racine, WI 53403

Jefren E. Olsen
Asst. State Public Defender
P. O. Box 7862
Madison, WI 53707-7862

Peter Rank
Assistant Attorney General
P.O. Box 7857
Madison, WI 53707-7857

Todd A. Terry
Guttormsen & Terry LLC
4015 80th St., Ste. H
Kenosha, WI 53142

Jennifer J. Kopp
Kenosha County Corporation Counsel
912 56th Street, LL13
Kenosha, WI 53140

You are hereby notified that the Court has entered the following opinion and order:

2016AP1068

State of Wisconsin v. Michael L. McGee (L.C. #2003CI1)

Before Neubauer, C.J., Reilly, P.J., and Gundrum, J.

The Town of Wheatland and Kenosha County became aware of the planned release, to a residence in the town and county, of Michael McGee, a Racine County resident and sex offender

committed pursuant to WIS. STAT. ch. 980 (2015-16).¹ In mid-May 2016, the town and county separately moved to intervene in the ch. 980 action in an effort to prevent McGee’s release to the residence. Following a hearing, the circuit court granted the county’s motion to intervene but denied the town’s. The town appeals.

In *State v. McGee*, No. 2016AP1082, recommended for publication (WI App May 17, 2017), we affirmed the circuit court’s grant of Kenosha County’s motion to intervene, setting forth the reasons for that affirmance in our decision. We also stated: “The Town of Wheatland also moved for intervention, but its motion was denied by the circuit court. Wheatland’s motion to intervene should also have been granted for the same reasons we approve of Kenosha’s intervention.” *Id.*, ¶24. Thus, we now summarily reverse the circuit court’s denial of the town’s motion to intervene. For the reasons we set forth in *McGee*, No. 2016AP1082, we conclude the town had a right to intervene.

IT IS ORDERED that the order of the circuit court is reversed and remanded for further proceedings not inconsistent with this decision.

IT IS FURTHER ORDERED that this summary disposition order will not be published and may not be cited under WIS. STAT. § 809.23(3)(b).

Diane M. Fremgen
Clerk of Court of Appeals

¹ All references to the Wisconsin Statutes are to the 2015-16 version unless otherwise noted.