

In April 2018, federal and local officials working jointly obtained a search warrant against Griffin; the search resulted in federal criminal charges. Griffin filed a petition for habeas corpus in Milwaukee County Circuit Court, challenging the sufficiency and reliability of the search warrant application. The circuit court denied the petition for three reasons: (1) Griffin failed to comply with the production requirement of WIS. STAT. § 782.04(4);² (2) Griffin failed to have his petition verified—*i.e.*, notarized; and (3) Griffin “fail[ed] to include any factual basis to show that there was no other adequate remedy available in the law.”

On appeal, Griffin argues only that the circuit court should not have “procedurally defaulted” his petition for lack of verification because the Milwaukee County Jail had failed to “provide timely notary services,” hampering his access to the courts. However, even overlooking the production and verification defects in Griffin’s petition, denial was still appropriate. A petitioner seeking a writ of habeas corpus “must show that there was no other adequate remedy available in the law.” *See State ex rel. Haas v. McReynolds*, 2002 WI 43, ¶12, 252 Wis. 2d 133, 643 N.W.2d 771. Griffin has not established, either in the circuit court or on appeal, that he lacked other remedies. *See, e.g., United States v. Woodfork*, 999 F.3d 511, 516 (7th Cir. 2021) (reviewing the denial of motion to suppress based on alleged misrepresentation in the search warrant application); *State v. Silverstein*, 2017 WI App 64, ¶¶12-26, 378 Wis. 2d 42, 902 N.W.2d 550 (reviewing the denial of a motion to suppress based on allegedly insufficient probable cause in the search warrant application).

Therefore,

² “If the imprisonment is by virtue of any order or process a copy thereof must be annexed[.]” WIS. STAT. § 782.04(4).

IT IS ORDERED that the order is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals