

The following brief case summaries are meant to give the reader a quick overview and do not explore all of the issues presented in each case:

9:30 a.m. 2010AP2003 State v. Beamon

This case is from Racine. It began with a report of shots fired at the American Legion Bar. Police officers spotted a suspect who got into a vehicle and drove off. The suspect led police on a chase prior to opening his car door and jumping out of the moving vehicle. Police caught the suspect, Courtney Beamon, after he jumped from his car.

Beamon was charged with eight criminal offenses as a repeat offender and, after a jury trial, convicted on all eight. He appealed on only one count, a charge of eluding an officer. He argued that the evidence was not sufficient to convict based upon the instruction that the judge gave to the jury. The State argued that the statutory elements of the crime, rather than the jury instruction, should be used to assess whether the burden of proof had been met. The Court of Appeals agreed, upholding the conviction even though it found that the jury instruction had been erroneous.

Now Beamon has appealed to the Supreme Court, which will clarify whether reviewing courts should look at the jury instructions or the statutory elements of the crime in handling sufficiency-of-evidence appeals.

11:00 a.m. 12AP544-W Office of the State Public Defender v. Ct of Appeals, District IV

The Office of the State Public Defender (SPD) has asked the Supreme Court to clarify whether a lawyer handling an appeal of a criminal conviction must seek permission from the circuit court before accessing, citing or quoting from a PSI (pre-sentence investigation) report. PSIs provide the sentencing judge with detailed information on a defendant's family history, medical history, schooling, and more. The PSI normally also contains information about the impact of the crime on the victim and his/her family. The SPD is seeking a ruling that would create a uniform procedure for accessing, citing and quoting PSIs in criminal appeals.

This case arises from a matter involving Michael B. Buchanan, who pleaded no contest to one count of first-degree sexual assault of a child and one count of child enticement, both with a dangerous weapon. Prior to sentencing, Buchanan made a motion to strike certain parts of the PSI. The circuit court granted the motion, but only in part. Buchanan appealed, and his attorney sought permission from the Court of Appeals to quote from the PSI (by statute these are confidential documents) in the court filings. The Court of Appeals granted this motion, but then the State filed a motion arguing that the circuit court, rather than the Court of Appeals, is the court that must give permission to quote from a PSI even when the case is on appeal. The Court of Appeals agreed, based on its reading of a prior Supreme Court decision, and directed Buchanan to file his motion in the circuit court. He instead filed a motion for reconsideration in the Court of Appeals, arguing that no permission is necessary from the circuit court and that the Court of Appeals is creating a "wasteful and pointless process" by requiring the SPD to seek this permission. The Court of Appeals denied the motion. The Supreme Court will likely clarify whether its prior decision requires post-conviction counsel to seek circuit court permission prior to using PSIs in their appeals.

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