

## SUPREME COURT OF WISCONSIN

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Case No.: 98-0394

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Complete Title  
Of Case:

In re the Commitment of Derek Miller:

State of Wisconsin,  
Petitioner-Respondent,

v.

Derek Miller,  
Respondent-Appellant-Petitioner.

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REVIEW OF A DECISION OF THE COURT OF APPEALS  
Reported at: 229 Wis. 2d 567, 600 N.W.2d 224  
(Ct. App. 1999-Published)

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Opinion Filed: May 26, 2000

Submitted on Briefs:

Oral Argument: April 6, 2000

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Source of APPEAL

COURT: Circuit

COUNTY: Milwaukee

JUDGE: Jeffrey A. Kremers

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JUSTICES:

Concurred:

Dissented:

Not Participating:

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ATTORNEYS: For the respondent-appellant-petitioner there were briefs and oral argument by *Ellen Henak*, assistant state public defender.

For the petitioner-respondent the cause was argued by *Warren D. Weinstein*, assistant attorney general, with whom on the brief was *James E. Doyle*, attorney general.

**NOTICE**

This opinion is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 98-0394

STATE OF WISCONSIN

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IN SUPREME COURT

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In re the Commitment of Derek Miller:

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**FILED**

**MAY 26, 2000**

**Cornelia G. Clark  
Clerk of Supreme Court  
Madison, WI**

REVIEW of a decision of the Court of Appeals. *Dismissed as improvidently granted.*

¶1 PER CURIAM. After examination of the record and the briefs of the parties, and after hearing oral argument, we conclude that the petition for review was improvidently granted.<sup>1</sup>

Derek Miller, the petitioner, stipulated that he was a sexually violent person and raised issues about his placement. Because the statutes at issue have changed since the petitioner's case arose and the court of appeals has adequately addressed the issues raised by the parties, we conclude that this case does not meet our standards for review.

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<sup>1</sup> State v. Miller, 229 Wis. 2d 567, 600 N.W.2d 224 (Ct. App. 1999).

*By the Court.*—The review of the decision of the court of appeals is dismissed as improvidently granted.

¶2 DAVID T. PROSSER, J., did not participate.

