

VB# 1007208

## OFFICE OF THE CLERK

**Supreme Court of Wisconsin**

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November 9, 2018

**To:**

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You are hereby notified that the Court, by its Clerk and Commissioners, has entered the following order:

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No. 2014AP2237-CRNM      State v. Murphy L.C.#2000CF156

The court having considered the motion of defendant-appellant, Shawn D. Murphy, to extend the time in which to file a petition to review the court of appeals' order of June 11, 2018;

IT IS ORDERED that the motion is denied. The June 11, 2018 order, in which the court of appeals declined to take action on Mr. Murphy's motion, is not subject to supreme court review. The decision of the court of appeals that is subject to review in this court is the court of appeals' final decision disposing of the appeal or writ proceeding. In Interest of A.R., 85 Wis. 2d 444, 270 N.W.2d 581 (1978). In this matter, the court of appeals' final decision was its decision of March 11, 2015, which summarily affirmed Mr. Murphy's judgment of conviction. A petition for review must be physically filed with the clerk of this court within 30 days after the date of the court of appeals' final decision. Wis. Stat. § 808.10(1); First Wisconsin Bank of Madison v. Nicholaou, 87 Wis. 2d 360, 274 N.W.2d 704 (1979). In addition, the motion may

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not be construed as a timely but nonconforming petition for review because more than 30 days have passed from the issuance of the court of appeals' decision of March 11, 2015, and more than 30 days have passed from the court of appeals' March 20, 2015 order denying the motion for reconsideration. Petitions for review must be physically filed with the clerk of the supreme court within 30 days of the date of the court of appeals' decision or within 30 days of the court of appeals' decision on a timely motion for reconsideration. See Wis. Stat. § 808.10 and § (Rule) 809.80.

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Sheila T. Reiff  
Clerk of Supreme Court