



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

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January 29, 2001

Ms. Cornelia G. Clark
Clerk of Supreme Court
Post Office Box 1688
Madison, WI 53701-1688

RECEIVED
JAN 29 2001
CLERK OF SUPREME COURT
OF WISCONSIN

Re: State v. Lawrence P. Peters, Jr.
Case No. 99-1940-CR

Dear Ms. Clark:

Enclosed for filing please find the original and eight copies of a Motion For Additional Briefing Extension in the above-entitled matter. A copy is being mailed this date to Ms. Smith.

Sincerely,

William L. Gansner
Assistant Attorney General

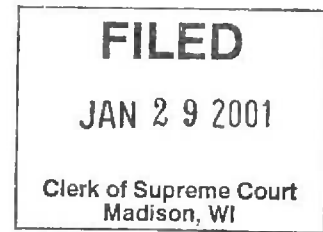
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Enclosures

cc: Jane Krueger Smith
Attorney at Law
Post Office Box 57
Oconto Falls, WI 54154-0057

STATE OF WISCONSIN
IN SUPREME COURT

No. 99-1940-CR



STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

LAWRENCE P. PETERS, JR.,

Defendant-Appellant-Petitioner.

MOTION FOR ADDITIONAL BRIEFING EXTENSION

The State of Wisconsin, plaintiff-respondent, by undersigned counsel, hereby moves this court for an order extending the deadline for service and filing of its brief in this case by an additional seven days, from January 29, 2001, to February 5, 2001. The reasons for this motion are as follows:

1. By order dated January 9, 2001, this court granted the State's motion to extend the deadline for service and filing of its responsive brief in this case to today's date, January 29, 2001.

2. Despite very considerable effort and work on this case, I have been unable to complete the State's brief within the extended briefing period for service and filing by the January 29 deadline.

3. My previous extension motion underestimated the amount of time necessary for conducting additional material research, completing the drafting of the State's brief, and then obtaining final review of the State's brief. The previous extension sought by the State and granted by this court has proven insufficient for these tasks.

4. In addition, since filing the State's previous extension motion, a continuing heavy caseload of work on other cases has prevented my devoting complete attention to the present case. This other work has included the following:

(1) the State's brief in *State v. Penigar*, Case No. 00-2177 (Wis. Ct. App. Dist. I), filed on extended due date of January 9, 2001;

(2) the State's brief in *State v. Graf*, Case Nos. 00-1565 & 00-1566 (Wis. Ct. App. Dist. I), filed on extended due date of January 12, 2001;

(3) the State's brief in *State ex rel. Harris v. State of Wisconsin*, Case No. 00-1164 (Wis. Ct. App. Dist. I), filed on extended due date of January 22, 2001;

(4) the State's reply brief in a federal habeas corpus action, *Luedtke v. Thompson*, Case No. 00-C-622-C (W.D. Wis.), filed January 22, 2001; and

(5) the State's response to a petition for review in *State ex rel. Smalley v. State of Wisconsin*, Case Nos. 00-1339 & 00-1340 (Wis. S. Ct.), filed January 29, 2001.

5. Finally, I note that the Criminal Appeals Unit of the Department of Justice, of which I am a member, remains handicapped by a continuing secretarial shortage and by delay in filling vacant positions. This circumstance has inevitably increased the time necessary for completion of assigned work within the unit.

For the above-stated reasons, the State respectfully submits that good cause exists for the granting of an additional and final one-week briefing extension in this case. The State respectfully requests that this court grants its motion and extend the State's briefing time by an additional one-week, from January 29, 2001, to February 5, 2001.

Dated at Madison, Wisconsin, January 29, 2001.

Respectfully submitted,

JAMES E. DOYLE
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