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**Supreme Court of Wisconsin**

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**FILED**  
**12-10-2024**  
**CLERK OF WISCONSIN**  
**SUPREME COURT**

December 10, 2024

**To:**

Hon. Paul Bugenhagen Jr.  
Circuit Court Judge  
Electronic Notice

John D. Flynn  
Electronic Notice

Monica Paz  
Clerk of Circuit Court  
Waukesha County Courthouse  
Electronic Notice

Bradley William Novreske  
Electronic Notice

Jennifer L. Vandermeuse  
Electronic Notice

Susan Lee Opper  
Electronic Notice

Melissa J. Zilavy  
Electronic Notice

You are hereby notified that the Court has entered the following order:

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No. 2023AP874-CR      State v. Stetzer, L.C.# 2017CM1014

A petition for review pursuant to Wis. Stat. § 808.10 having been filed on behalf of defendant-appellant-petitioner, Joan L. Stetzer, and considered by this court;

IT IS ORDERED that the petition for review is granted, but only as to the first and third issues raised in the petition:

1. Does Wis. Stat. § 939.46(1) permit a trial court to artificially and temporally subdivide a single “act” that is entitled to the privilege at its inception and determine whether each subdivided portion of the single “act” would be entitled to the privilege if viewed in isolation before the coercion defense will be applied?
3. Did the trial court fail to apply the correct legal standard by failing to consider the reasonableness of Joan’s decision not to stop and report her husband’s assault to the police from the perspective of a reasonable person with Joan’s particular characteristics and personal history?

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IT IS FURTHER ORDERED that pursuant to Wis. Stat. § (Rule) 809.62(6), the defendant-appellant-petitioner may not raise or argue issues not set forth above unless otherwise ordered by the court; and

IT IS FURTHER ORDERED that pursuant to Wis. Stat. §§ (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the defendant-appellant-petitioner must file a brief in this court; that within 20 days of filing the plaintiff-respondent, State of Wisconsin, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the plaintiff-respondent, within 10 days of filing the defendant-appellant-petitioner must file either a reply brief or a statement that no reply brief will be filed; and

IT IS FURTHER ORDERED that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and

IT IS FURTHER ORDERED that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and

IT IS FURTHER ORDERED that, if a party has not previously filed an electronic copy of the briefs filed on behalf of that party in the court of appeals, the party, within 30 days after the date of this order, must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; but if the party has already filed an electronic copy of such briefs, then there is no obligation to provide additional copies of those briefs to the clerk of this court; and

IT IS FURTHER ORDERED that the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.

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Samuel A. Christensen  
Clerk of Supreme Court