



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

APRIL 2019

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of April 2019 and to date for the term that began on September 1, 2018.

Opinions Issued by the Court

The Supreme Court issued opinions resolving 18 cases in April. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>April 2019</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>11</u>	<u>57</u>
Attorney disciplinary cases	3	20
Judicial disciplinary cases	0	0
Bar Admissions	0	0
Civil cases	6	40
Criminal cases	2	12

Petitions for Review

A total of 68 petitions for review were filed during the month. A petition for review asks the Supreme Court to review the decision of the Court of Appeals. The Supreme Court's jurisdiction is discretionary, meaning that review is granted in selected cases only. In April, the Supreme Court disposed of 59 petitions for review, of which 10 petitions were granted. The Supreme Court currently has 188 petitions for review pending.

	<u>April 2019</u>	<u>Term to Date</u>
Petitions for Review filed	69	434
Civil cases	14	124
Criminal cases	54	310

Petition for Review dispositions	59	496
Civil cases (petitions granted).....	14 (3)	138 (18)
Criminal cases (petitions granted)	45 (7)	358 (19)

Petitions for Bypass

In April, the Supreme Court received 3 petitions for bypass and disposed of 3 petitions for bypass. In a petition for bypass, a party requests that the Supreme Court take jurisdiction of an appeal or other proceeding pending in the Court of Appeals. A matter appropriate for bypass is usually one which meets one or more of the criteria for review by the Supreme Court and one the Supreme Court concludes it will ultimately choose to consider regardless of how the Court of Appeals might decide the issues. A petition for bypass may also be granted where there is a clear need to hasten the ultimate appellate decision. The Supreme Court currently has 3 petitions for bypass pending.

	<u>April 2019</u>	<u>Term to Date</u>
Petitions for Bypass filed	1	10
Civil cases	1	6
Criminal cases	0	4
 Petition for Bypass dispositions.....	 3	 10
Civil cases (petitions granted).....	2 (1)	5 (2)
Criminal cases (petitions granted)	1 (0)	5 (1)

Requests for Certification

During April 2019, the Supreme Court received no requests for certification and disposed of 3 requests for certification. In a request for certification, the Court of Appeals asks the Supreme Court to exercise its appellate jurisdiction before the Court of Appeals hears the matter. A request for certification is decided on the basis of the same criteria as a petition to bypass. The Supreme Court currently has 1 request for certification pending.

	<u>April 2019</u>	<u>Term to Date</u>
Requests for Certification filed.....	0	<u>5</u>
Civil cases	0	3
Criminal cases	0	2
 Request for Certification dispositions.....	 <u>3</u>	 <u>5</u>
Civil cases (requests granted)	3 (3)	3 (3)
Criminal cases (requests granted)	0 (0)	2 (1)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 1 matter within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) was filed and 4 such cases were reopened. The Supreme Court also received 1 petition for supervisory writ, which asks the Supreme Court to order the Court of Appeals or a Circuit Court to take a certain action in a case. 2 original actions were filed. An original action is a petition asking the Supreme Court to take jurisdiction over a particular matter. When an opinion is issued in these cases, the disposition is included in “Opinions Issued by the Court” above; otherwise, the case is disposed of by order and is included in the totals below. The Supreme Court currently has 112 regulatory matters and 14 petitions for supervisory writ pending.

	<u>April 2019</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	5	31
Judicial discipline.....	0	3
Bar admission.....	0	1
Petitions for Supervisory Writ	1	33
Other (including Original Actions).....	2	3
 <u>Dispositions by Order</u>		
Attorney discipline.....	3	16
Judicial discipline.....	0	0
Bar admission.....	0	1
Petitions for Supervisory Writ	5	30
Other (including Original Actions).....	1	4

**DECISIONS BY THE
WISCONSIN SUPREME COURT
OPINIONS ISSUED DURING APRIL 2019**

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
#2017AP146	Daniel Marx v. Richard Morris Order of the Circuit Court is Affirmed and the Cause is Remanded <u>Majority Opinion:</u> Roggensack, C. J. <u>Concur & Dissent:</u> Kelly, J., Abrahamson, J., Bradley, R.G., J. - Opin filed	04/02/2019
#2018AP2460-D	Office of Lawyer Regulation v. Gary E. Grass License is suspended for 60 days. Shall Comply with SCR 22.26 Comply with all conditions of this decision as required for reinstatement SCR 22.28(2) Administrative suspension remains until each condition has been met. Temporary suspension from 11-13- 2018 remains until lifted. No costs Per Curiam	04/16/2019
#2019AP118-D	Office of Lawyer Regulation v. B. C. Fischer License suspended for 90 days effective the date of this order. Comply with the terms of the Supreme Court of Minnesota's 09-12-2017 reinstatement order. The administrative suspension will remain in effect until each reason has been rectified pursuant to SCR 22.28(1). To the extent that it hasn't already been done, B. C. Fisher shall comply with the provisions of SCR 22.26 concerning the duties of a person whose license to practice has been suspended. No costs are imposed. Per Curiam	04/16/2019

#2017AP684-AC	Town of Lincoln v. City of Whitehall The Decision of the Court of Appeals is Reversed and the Cause Remanded to the Circuit Court.	04/17/2019
#2017AP523-D	Office of Lawyer Regulation v. Patrick J. Hudec License Suspended for 60 days effective May 30, 2019. Within 60 days from the date of this order, pay costs of this proceeding to OLR, \$4,319.04 as of January 24, 2019. Condition of reinstatement of license is to satisfy the judgment issued against him in favor of N.K. Comply with SCR 22.26 concerning duties of the person whose license to practice law has been suspended. Comply with conditions as required under SCR 22.28(2).	04/18/2019
#2017AP1408	Security Finance v. Brian Kirsch The Decision of the Court of Appeals is Affirmed. <u>Majority Opinion:</u> Ziegler, J. <u>Concur:</u> Kelly, J., and Bradley, R.G., J – Opin. Filed. <u>Dissent:</u> Bradley, A.W., J and Abrahamson, J. – Opin. Filed. Dallet, J., did not participate	04/19/2019
#2016AP1276-CR	State of Wisconsin v. Nelson Garcia, Jr. The Decision of the Court of Appeals is Affirmed by an Equally Divided Court. Abrahamson, J., withdrew from participation	04/19/2019

#2016AP2296	Maple Grove Country Club Inc., v. Maple Grove Estates Sanitary District The Decision of the Court of Appeals is Reversed and the Cause Remanded to the Circuit Court <u>Majority Opinion:</u> Bradley, A.W., J. Abrahamson, J., withdrew from participation	04/23/2019
#2017AP344	Yasmeen Daniel v. Armslist, LLC et al The Decision of the Court of Appeals is reversed. <u>Majority Opinion:</u> Roggensack, C.J. <u>Dissent:</u> Bradley, A. W., J. – Opin Filed Abrahamson, J., withdrew from participation	04/30/2019
#2017AP2006-CR	State of Wisconsin v. John Patrick Wright The Decision of the Court of Appeals is Reversed and the Cause is Remanded to the Circuit Court. <u>Majority Opinion:</u> Abrahamson, J.	04/30/2019
#2016AP493	Ann Cattau v. National Insurance Services of Wisconsin, Inc. The Decision of the Court of Appeals is Affirmed. Per Curiam Abrahamson, J. withdrew from participation	04/30/2019