



# WISCONSIN COURT OF APPEALS

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## WISCONSIN COURT OF APPEALS MONTHLY STATISTICAL REPORT

### OCTOBER 2010

This statistical report presents information about the case filings and dispositions of the Wisconsin Court of Appeals during the month of October 2010 and to date for the year that began on January 1, 2010.

#### Opinions and Orders Issued by the Court

The Court of Appeals issued 86 opinions, 100 summary dispositions, and 94 other written decisions in October. Opinions include three-judge and one-judge authored opinions and per curiam opinions. Summary dispositions include opinions issued in the form of a court order after the court has reviewed the briefs and the record and, generally, following a screening and decision conference. Other written decisions include memorandum opinions, which are issued in the form of a court order prior to a screening and decision conference, and miscellaneous orders terminating cases (e.g., voluntary dismissals and stipulations to dismiss). The breakdown by district and type of disposition is as follows:

| <u>October 2010</u>          | <u>I</u>  | <u>II</u> | <u>III</u> | <u>IV</u>  | <u>Total</u> |
|------------------------------|-----------|-----------|------------|------------|--------------|
| Cases Terminated .....       | <u>60</u> | <u>64</u> | <u>65</u>  | <u>106</u> | <u>280</u>   |
| Opinion - Civil .....        | 11        | 8         | 11         | 17         | 48           |
| Opinion - Criminal .....     | 10        | 10        | 9          | 10         | 38           |
| Sum. Disp. - Civil.....      | 0         | 12        | 7          | 3          | 20           |
| Sum. Disp. - Criminal .....  | 17        | 16        | 15         | 5          | 80           |
| Memo Opinion - Civil.....    | 10        | 6         | 10         | 11         | 53           |
| Memo Opinion - Criminal..... | 6         | 6         | 9          | 3          | 17           |
| Other - Civil .....          | 4         | 6         | 4          | 4          | 20           |
| Other - Criminal .....       | 2         | 0         | 0          | 0          | 4            |

So far this year, the Court of Appeals has issued 926 opinions, 739 summary dispositions, and 903 other written decisions.

| <u>Year to Date</u>          | <u>I</u>   | <u>II</u>  | <u>III</u> | <u>IV</u>  | <u>Total</u> |
|------------------------------|------------|------------|------------|------------|--------------|
| Cases Terminated .....       | <u>684</u> | <u>637</u> | <u>523</u> | <u>724</u> | <u>2568</u>  |
| Opinion - Civil .....        | 126        | 126        | 125        | 148        | 525          |
| Opinion - Criminal .....     | 143        | 102        | 83         | 73         | 401          |
| Sum. Disp. - Civil.....      | 27         | 59         | 43         | 59         | 188          |
| Sum. Disp. - Criminal .....  | 130        | 140        | 96         | 185        | 551          |
| Memo Opinion - Civil.....    | 101        | 100        | 97         | 152        | 450          |
| Memo Opinion - Criminal..... | 86         | 56         | 49         | 62         | 253          |
| Other - Civil .....          | 39         | 36         | 27         | 35         | 137          |
| Other - Criminal .....       | 32         | 18         | 3          | 10         | 63           |

### Appeals Filed

A total of 237 appeals were filed during the month. An appeal asks the Court of Appeals to review the decision of the circuit court.

| <u>October 2010</u> | <u>I</u>  | <u>II</u> | <u>III</u> | <u>IV</u> | <u>Total</u> |
|---------------------|-----------|-----------|------------|-----------|--------------|
| Cases Filed .....   | <u>75</u> | <u>49</u> | <u>58</u>  | <u>55</u> | <u>237</u>   |
| Civil.....          | 27        | 19        | 38         | 39        | 123          |
| Criminal .....      | 48        | 30        | 20         | 16        | 114          |

So far this year, a total of 2559 appeals have been filed.

| <u>Year to Date</u> | <u>I</u>   | <u>II</u>  | <u>III</u> | <u>IV</u>  | <u>Total</u> |
|---------------------|------------|------------|------------|------------|--------------|
| Cases Filed .....   | <u>769</u> | <u>610</u> | <u>532</u> | <u>648</u> | <u>2559</u>  |
| Civil.....          | 346        | 297        | 292        | 396        | 1331         |
| Criminal .....      | 423        | 313        | 240        | 252        | 1228         |

### Appeals Pending

As of the end of the month, a total of 2125 cases were pending before the Court of Appeals.

|                     | <u>I</u>   | <u>II</u>  | <u>III</u> | <u>IV</u>  | <u>Total</u> |
|---------------------|------------|------------|------------|------------|--------------|
| Cases Pending ..... | <u>679</u> | <u>501</u> | <u>433</u> | <u>512</u> | <u>2125</u>  |
| Civil.....          | 305        | 227        | 248        | 301        | 1081         |
| Criminal .....      | 374        | 274        | 185        | 211        | 1044         |

### Petitions for Supervisory Writ

The Court of Appeals received 14 and disposed of 17 petitions for supervisory writ during the month. A petition for supervisory writ asks the Court of Appeals to order the circuit court to take a certain action in a case.

|                               | <u>I</u> | <u>II</u> | <u>III</u> | <u>IV</u> | <u>Total</u> |
|-------------------------------|----------|-----------|------------|-----------|--------------|
| Sup. Writs Filed.....         | 3        | 1         | 5          | 5         | 14           |
| Sup. Writs Terminated .....   | <u>5</u> | <u>1</u>  | <u>6</u>   | <u>5</u>  | <u>17</u>    |
| Granted.....                  | 0        | 0         | 0          | 0         | 0            |
| Denied, Dismissed, Other..... | 5        | 1         | 6          | 5         | 17           |
| Sup. Writs Pending.....       | 26       | 5         | 1          | 9         | 41           |

### Petitions for Leave to Appeal

The Court of Appeals received 7 and disposed of 11 petitions for leave to appeal during the month. A petition for leave to appeal asks the Court of Appeals to invoke its discretionary jurisdiction and accept the appeal of a case in which a final order has not been issued.

|  | <u>I</u> | <u>II</u> | <u>III</u> | <u>IV</u> | <u>Total</u> |
|--|----------|-----------|------------|-----------|--------------|
| Leave to Appeal Petitions Filed .....  | 3        | 3         | 0          | 1         | 7            |
| Leave to Appeal Petitions Terminated   | <u>2</u> | <u>2</u>  | <u>2</u>   | <u>5</u>  | <u>11</u>    |
| Granted.....                           | 0        | 0         | 0          | 1         | 1            |
| Denied, Dismissed, Other.....          | 2        | 2         | 2          | 4         | 10           |
| Leave to Appeal Petitions Pending..... | 6        | 3         | 3          | 9         | 15           |

### Petitions for Review, Petitions for Bypass, and Certifications to the Supreme Court

The Supreme Court received 53 petitions for review of decisions of the Court of Appeals, 1 petition to bypass the Court of Appeals, and 1 request for certification. 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. 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.

|                                 | <u>I</u>  | <u>II</u> | <u>III</u> | <u>IV</u> | <u>Total</u> |
|---------------------------------|-----------|-----------|------------|-----------|--------------|
| Petitions for Review Filed..... | <u>14</u> | <u>15</u> | <u>11</u>  | <u>13</u> | <u>53</u>    |
| Civil.....                      | 4         | 4         | 6          | 9         | 23           |
| Criminal .....                  | 10        | 11        | 5          | 4         | 30           |
| Petitions for Bypass Filed..... | <u>0</u>  | <u>0</u>  | <u>0</u>   | <u>1</u>  | <u>1</u>     |
| Civil.....                      | 0         | 0         | 0          | 0         | 0            |
| Criminal .....                  | 0         | 0         | 0          | 1         | 1            |
| Certifications Filed.....       | <u>0</u>  | <u>1</u>  | <u>0</u>   | <u>0</u>  | <u>1</u>     |
| Civil.....                      | 0         | 1         | 0          | 0         | 1            |
| Criminal .....                  | 0         | 0         | 0          | 0         | 0            |