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**DISTRICT I**

October 25, 2022

To:

Hon. Mark A. Sanders  
Circuit Court Judge  
Electronic Notice

Sarah Burgundy  
Electronic Notice

George Christenson  
Clerk of Circuit Court  
Milwaukee County Safety Building  
Electronic Notice

Cory Miriell Wright 296539  
Stanley Correctional Institution  
P.O. Box 900  
Portage, WI 53901-0900

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

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2021AP503

State of Wisconsin v. Cory Miriell Wright (L.C. # 2006CF1408)

Before Donald, P.J., Dugan and White, JJ.

**Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).**

Cory Miriell Wright, *pro se*, appeals an order of the circuit court denying his postconviction motion for “reconstruction of the trial court’s acceptance of the jury’s non-unanimous guilty verdict proceedings record,” or alternatively, for a new trial. Upon our review of the briefs and record, we conclude at conference that this matter is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2019-20).<sup>1</sup> We summarily affirm.

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2019-20 version unless otherwise noted.

On July 12, 2006, a jury convicted Wright of two counts of armed robbery as a party to a crime. The circuit court sentenced Wright to concurrent sentences of twenty-five years of initial confinement and ten years of extended supervision.

Since then, Wright has filed numerous appeals and postconviction motions. As relevant to this appeal, Wright filed a “Writ of Error” with the circuit court, alleging that the circuit court accepted a non-unanimous jury verdict and that the transcript supporting his allegation was missing from his case record. Wright sought “reconstruction of the [circuit] court’s acceptance of the jury’s non-unanimous guilty verdict proceedings record ... or, if the court determines that reconstruction is not possible, that the circuit court order the defendant a new trial.”

A staff attorney with the circuit court responded to Wright’s “Writ of Error” in a letter explaining that the record contained both the verdict forms and a transcript. The letter explained that the transcript was filed on March 21, 2007, and that the transcript includes the circuit court’s acceptance of the verdict and polling of the jurors to confirm the verdict. The letter informed Wright to check his file for the transcript. The letter further suggested that Wright contact his previous postconviction counsel or the clerk of circuit court to purchase additional copies if he could not locate the transcript within his file.

Wright responded to the staff attorney’s letter with a letter of his own, challenging the staff attorney’s authority to respond to his “Writ of Error,” and denying the existence of the transcript. According to Wright, the court reporter “had left the courtroom for the day before the jury came back into the courtroom” with its verdicts and “no other reporter filled in” for her (emphasis omitted). He claimed that if there was such a transcript, it was “fabricated and fraudulent.”

The circuit court issued a decision and order denying the motion, stating that it lacked jurisdiction to adjudicate a writ of error under WIS. STAT. § 808.02. The circuit court also stated that regardless of the jurisdictional issue, Wright’s “Writ of Error” was “frivolous for the reasons explained” in the staff attorney’s response.

Wright filed a second “Writ of Error,” which contained the same allegations and arguments as his first writ. The circuit court again denied the motion for the same reasons set forth in its previous order. This appeal follows.

At the outset, we note that Wright’s “Writ of Error” is more properly characterized as a motion to reconstruct the record on the basis of a missing transcript. The fatal error in Wright’s motion, however, is that the relevant transcript is not missing. The transcript, which was filed on March 21, 2007, reflects that Wright was convicted by a unanimous jury, that the circuit court read the guilty verdicts and polled the jurors, and that each juror confirmed his or her verdict. That transcript bears the court reporter’s certification and notary stamp, certifying the reporter’s presence and completion of her duties. Wright’s claim that the transcript was somehow fabricated has no support in the record. Along those same lines, there is no support in the record that anyone, other than the circuit court, signed the orders denying Wright’s motions.

For the foregoing reasons, we affirm the circuit court.

IT IS ORDERED that the order is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

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*Sheila T. Reiff*  
*Clerk of Court of Appeals*