



# Supreme Court of Wisconsin

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## WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

### March 2014

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of March 2014 and to date for the term that began on September 1, 2013.

#### Opinions Issued by the Court

The Supreme Court issued opinions resolving 8 cases in March. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>March 2014</u>	<u>Term to Date</u>
Total number of cases resolved by opinion .....	<u>8</u>	<u>35</u>
Attorney disciplinary cases .....	5	22
Judicial disciplinary cases.....	0	0
Civil cases .....	1	8
Criminal cases .....	2	5

#### Petitions for Review

A total of 73 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 March, the Supreme Court disposed of 41 petitions for review, of which 1 petition was granted. The Supreme Court currently has 286 petitions for review pending.

	<u>March 2014</u>	<u>Term to Date</u>
Petitions for Review filed .....	<u>73</u>	<u>468</u>
Civil cases .....	32	228
Criminal cases.....	41	240

Petition for Review dispositions .....	<u>41</u>	<u>546</u>
Civil cases (petitions granted).....	22 (1)	283 (21)
Criminal cases (petitions granted) .....	19 (0)	263 (26)

### Petitions for Bypass

In March, the Supreme Court received 4 petitions for bypass and disposed of 1 petition 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 5 petitions for bypass pending.

	<u>March 2014</u>	<u>Term to Date</u>
Petitions for Bypass filed.....	<u>4</u>	<u>9</u>
Civil cases .....	4	6
Criminal cases.....	0	3
Petition for Bypass dispositions.....	<u>1</u>	<u>7</u>
Civil cases (petitions granted).....	1 (0)	4 (0)
Criminal cases (petitions granted) .....	0 (0)	3 (0)

### Requests for Certification

During March 2014, the Supreme Court received 0 requests for certification and disposed of 0 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 0 requests for certification pending.

	<u>March 2014</u>	<u>Term to Date</u>
Requests for Certification filed.....	<u>0</u>	<u>2</u>
Civil cases .....	0	1
Criminal cases.....	0	1
Request for Certification dispositions.....	0	<u>6</u>
Civil cases (requests granted) .....	0 (0)	3 (3)
Criminal cases (requests granted) .....	0 (0)	3 (1)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 8 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and 0 such cases were reopened. The Supreme Court also received 10 petitions for supervisory writ, which ask the Supreme Court to order the Court of Appeals or a circuit court to take a certain action in a case. No 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 33 regulatory matters and 24 petitions for supervisory writ pending.

	<u>March 2014</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	8	43
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ .....	10	45
Other (including Original Actions).....	0	3
<u>Dispositions by Order</u>		
Attorney discipline.....	0	2
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ .....	3	40
Other (including Original Actions).....	1	6

**DECISIONS BY THE  
WISCONSIN SUPREME COURT**

**OPINIONS ISSUED DURING March 2014**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
2013AP1770-D	Office of Lawyer Regulation (OLR) v. Peter James Nickitas License Suspended Per Curiam <sup>1</sup>	03/14/2014
2013AP2362-D	OLR v. John R. Maynard License Suspended Per Curiam	03/14/2014
2011AP1400-D	OLR v. Jeffrey L. Elverman License revoked Per Curiam	03/25/2014
2013AP1362-D	OLR v. Randy J. Wynn License Suspended Per Curiam	03/26/2014
2013AP2836-D	OLR v. Charles J. Labanowsky, III License revoked Per Curiam	03/26/2014

**CIVIL AND CRIMINAL CASES**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
2012AP5	CED Properties LLC v. City of Oshkosh Court of Appeals decision reversed and remanded to the circuit court. <u>Majority Opinion</u> : Crooks, J.	03/06/2014

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<sup>1</sup> “Per Curiam” means “by the Court.” Opinions issued *per curiam* are handed down by the Court as a whole.

2011AP2733-CR

State v. Minerva Lopez  
Court of Appeals decision reversed.  
Majority Opinion: Ziegler, J.  
Concur: Prosser, J., joined by Gableman, J.  
Dissent: Abrahamson, C.J.  
Dissent: Bradley, J., joined by Abrahamson,  
C.J.

03/07/2014

2011AP2864-CRAC

State v. Samuel Curtis Johnson, III  
Motion for reconsideration granted.  
Per Curiam  
Concur/Dissent: Bradley, J., joined by  
Abrahamson, C.J.  
Prosser, J. and Gableman, J. did not  
participate.

03/26/2014