



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

July 2014

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

Opinions Issued by the Court

The Supreme Court issued opinions resolving 55 cases in July. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>July 2014</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>55</u>	<u>114</u>
Attorney disciplinary cases	11	47
Judicial disciplinary cases.....	0	0
Civil cases	23	39
Criminal cases	21	28

Petitions for Review

A total of 77 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 July, the Supreme Court disposed of 4 petitions for review, of which 0 petitions were granted. The Supreme Court currently has 326 petitions for review pending.

	<u>July 2014</u>	<u>Term to Date</u>
Petitions for Review filed	<u>77</u>	<u>724</u>
Civil cases	40	349
Criminal cases.....	37	375

Petition for Review dispositions	<u>4</u>	<u>762</u>
Civil cases (petitions granted).....	4 (0)	382 (27)
Criminal cases (petitions granted)	0 (0)	380 (35)

Petitions for Bypass

In July, the Supreme Court received 0 petitions for bypass and disposed of 0 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 13 petitions for bypass pending.

	<u>July 2014</u>	<u>Term to Date</u>
Petitions for Bypass filed.....	<u>0</u>	<u>19</u>
Civil cases	0	16
Criminal cases.....	0	3
Petition for Bypass dispositions.....	<u>0</u>	<u>14</u>
Civil cases (petitions granted).....	0 (0)	10 (0)
Criminal cases (petitions granted)	0 (0)	4 (0)

Requests for Certification

During July 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>July 2014</u>	<u>Term to Date</u>
Requests for Certification filed.....	<u>0</u>	<u>3</u>
Civil cases	0	2
Criminal cases.....	0	1
Request for Certification dispositions.....	0	<u>7</u>
Civil cases (requests granted)	0 (0)	4 (4)
Criminal cases (requests granted)	0 (0)	3 (1)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 7 matter 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 7 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 25 regulatory matters and 27 petitions for supervisory writ pending.

	<u>July 2014</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	7	60
Judicial discipline.....	0	0
Bar admission.....	0	1
Petitions for Supervisory Writ	7	71
Other (including Original Actions).....	0	6
<u>Dispositions by Order</u>		
Attorney discipline.....	0	3
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	5	66
Other (including Original Actions).....	0	10

**DECISIONS BY THE
WISCONSIN SUPREME COURT**

OPINIONS ISSUED DURING July 2014

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2013AP360-D	Office of Lawyer Regulation (OLR) v. Patrick J. Hudec. Public Reprimand Per Curiam ¹ <u>Dissent</u> : Abrahamson, C.J.	07/01/2014
2013AP2128-D	OLR v. Richard A. Kranitz License Suspension Per Curiam	07/01/2014
2013AP2685-D	OLR v. Geneva E. McKinley License Suspended Per Curiam	07/01/2014
2012AP2341-D	OLR v. Mark Alan Ruppelt Public Reprimand Per Curiam <u>Dissent</u> : Bradley, J. joined by Abrahamson, C.J.	07/08/2014
2012AP931-D	OLR v. Richard W. Voss License Suspended Per Curiam	07/18/2014
2012AP2423-D 2013AP1592-D 2014AP272-D	OLR v. Bridget E. Boyle License Revoked Per Curiam <u>Concur</u> : Bradley, J.	07/18/2014
2013AP2705-D	OLR v. John M. Curtin Public Reprimand Per Curiam	07/24/2014
2013AP1485-D	OLR v. Amoun Sayaovong Public Reprimand Per Curiam	07/30/2014

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

2013AP2088-D

OLR v. David V. Moss
License Suspended
Per Curiam

07/30/2014

CIVIL AND CRIMINAL CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2012AP1769-CR 2012AP1770-CR 2012AP1863-CR	State v. Martin P. O'Brien/State v. Kathleen M. O'Brien/State v. Charles E. Butts Court of Appeals decision affirmed. <u>Majority Opinion</u> : Bradley, J. <u>Dissent</u> : Abrahamson, C.J.	07/09/2014
2012AP2513-CR	State v. Raphfeal Lyfold Myrick Court of Appeals decision affirmed. <u>Majority Opinion</u> : Roggensack, J. <u>Concur</u> : Abrahamson, C.J. <u>Dissent</u> : Gableman, J., joined by Prosser, J. and Ziegler, J.	07/10/2014
2013AP221	Dow Family, LLC v. PHH Mortgage Corporation Court of Appeals decision affirmed and remanded to circuit court. <u>Majority Opinion</u> : Crooks, J. <u>Concur</u> : Abrahamson, C.J. Bradley J. did not participate.	07/10/2014
2011AP2548-CR	State v. Luis M. Rocha-Mayo Court of Appeals decision affirmed. <u>Majority Opinion</u> : Crooks, J. <u>Concur</u> : Ziegler, J., joined by Roggensack, J. and Gableman, J. <u>Dissent</u> : Abrahamson, C.J. <u>Dissent</u> : Prosser J., joined by Abrahamson, C.J. and Bradley, J.	07/11/2014
2011AP3007-CR	State v. Derik J. Wantland Court of Appeals decision affirmed. <u>Majority Opinion</u> : Ziegler, J. <u>Dissent</u> : Abrahamson, C.J., joined by Bradley, J. <u>Dissent</u> : Prosser, J., joined by Abrahamson, C.J. and Bradley, J.	07/11/2014

2012AP46-CR	<p>State v. Jimothy A. Jenkins Court of Appeals decision reversed and remanded. <u>Majority Opinion</u>: Abrahamson, C.J. <u>Concur</u>: Crooks, J., joined by Bradley, J. <u>Dissent</u>: Ziegler, J., joined by Gableman, J.</p>	07/11/2014
2012AP1869	<p>Richard S. Wilcox v. Estate of Ralph Hines Court of Appeals decision reversed. <u>Majority Opinion</u>: Gableman, J. <u>Dissent</u>: Abrahamson, C.J.</p>	07/11/2014
2012AP2557-CR	<p>State v. William F. Bokenyi Court of Appeals decision reversed. <u>Majority Opinion</u>: Ziegler, J. <u>Dissent</u>: Abrahamson, C.J., joined by Bradley, J. <u>Dissent</u>: Prosser, J., joined by Abrahamson, C.J. and Bradley, J.</p>	07/11/2014
2011AP2597	<p>Associated Bank N.A. v. Jack W. Collier Court of Appeals decision modified and affirmed. <u>Majority Opinion</u>: Roggensack, J. <u>Dissent</u>: Abrahamson, C.J., joined by Bradley, J. Prosser, J. did not participate.</p>	07/15/2014
2011AP2774	<p>Attorney's Title Guaranty Fund, Inc. v. Town Bank Court of Appeals decision reversed. <u>Majority Opinion</u>: Roggensack, J. <u>Dissent</u>: Abrahamson, C.J., joined by Bradley, J. <u>Dissent</u>: Bradley, J., joined by Abrahamson, C.J.</p>	07/15/2014
2011AP2868-CR	<p>State v. Clayton W. Williams Court of Appeals decision reversed. <u>Majority Opinion</u>: Prosser, J. <u>Concur</u>: Abrahamson, C.J., joined by Bradley, J.</p>	07/15/2014

2012AP122	Anthony Gagliano & Co., Inc. v. Openfirst, LLC Court of Appeals decision affirmed in part, reversed in part and remanded. <u>Majority Opinion:</u> Roggensack, J. <u>Concur in part/dissent in part:</u> Bradley, J. <u>Dissent:</u> Abrahamson, C.J.,	07/15/2014
2012AP183	Randy L. Betz v. Diamond Jim's Auto Sales Court of Appeals decision reversed. <u>Majority Opinion:</u> Ziegler, J. <u>Dissent:</u> Abrahamson, C.J., Roggensack, J. did not participate.	07/15/2014
2010AP1639-CR	State v. Erick O. Magett Court of Appeals decision affirmed. <u>Majority Opinion:</u> Prosser, J. <u>Dissent:</u> Abrahamson, C.J., joined by Bradley, J.	07/16/2014
2011AP2902	Board of Regents - UW System v. Jeffrey S. Decker Court of Appeals decision reversed and remanded to the circuit court. <u>Majority Opinion:</u> Gableman, J. <u>Concur:</u> Abrahamson, C.J. Bradley, J. did not participate.	07/16/2014
2011AP2907-CR	State v. Antonio D. Brown Court of Appeals decision affirmed. <u>Majority Opinion:</u> Bradley, J. <u>Dissent:</u> Prosser, J., <u>Dissent:</u> Roggensack, J. joined by Ziegler, J.	07/16/2014
2012AP2140-CR	State v. Angelica C. Nelson Court of Appeals decision affirmed. <u>Majority Opinion:</u> Roggensack, J. <u>Concur:</u> Ziegler, J. <u>Dissent:</u> Abrahamson, C.J. joined by Bradley, J.	07/16/2014
2012AP2170	State v. Joseph J. Spaeth Court of Appeals decision reversed and remanded. <u>Majority Opinion:</u> Gableman, J. <u>Dissent:</u> Prosser, J., joined by Abrahamson, C.J. and Bradley, J.	07/16/2014

2011AP1956	James E. Kochanski v. Speedway Superamerica, LLC Court of Appeals decision affirmed. <u>Majority Opinion</u> : Roggensack, J. <u>Dissent</u> : Bradley, J. joined by Abrahamson, C.J. <u>Dissent</u> : Prosser, J.	07/17/2014
2012AP858	Vicki L. Blasing v. Zurich American Ins. Co. Court of Appeals decision affirmed. <u>Majority Opinion</u> : Abrahamson, C.J. <u>Dissent</u> : Roggensack, J., joined by Ziegler, J. and Gableman, J.	07/17/2014
2011AP2424-CR/ 2012AP918	State v. Nancy J. Pinno/State v. Travis J. Seaton Court of Appeals decision affirmed. <u>Majority Opinion</u> : Prosser, J. <u>Dissent</u> : Abrahamson, C.J. joined by Bradley, J. <u>Dissent</u> : Crooks, J. joined by Bradley, J.	07/18/2014
2012AP1812	County of Grant v. Daniel A. Vogt Court of Appeals decision reversed. <u>Majority Opinion</u> : Prosser, J. <u>Concur</u> : Ziegler, J. joined by Roggensack, J. and Gableman, J. <u>Dissent</u> : Abrahamson, C.J., joined by Bradley, J.	07/18/2014
2012AP337-CR	State v. Muhammad Sarfraz Court of Appeals decision reversed and remanded. <u>Majority Opinion</u> : Gableman, J. <u>Concur</u> : Ziegler, J. joined by Roggensack, J. Prosser, J. did not participate.	07/22/2014
2012AP580	Russell Adams v. Northland Equipment Company, Inc. Court of Appeals decision affirmed. <u>Majority Opinion</u> : Roggensack, J. <u>Dissent</u> : Bradley, J. joined by Abrahamson, C.J.	07/22/2014

2012AP597	Scott Partenfelder v. Steve Rohde Court of Appeals decision reversed in part, affirmed in part and remanded to the circuit court. <u>Majority Opinion</u> : Prosser, J. <u>Dissent</u> : Abrahamson, C.J. joined by Bradley, J.	07/22/2014
2012AP1047	Asma Masri v. State of Wisconsin Labor and Industry Review Court of Appeals decision affirmed. <u>Majority Opinion</u> : Prosser, J. <u>Dissent</u> : Bradley, J. joined by Abrahamson, C.J.	07/22/2014
2012AP2402	Hailey Marie-Joe Force v. American Family Mutual Insurance Company Judgment and order of circuit court reversed and remanded. <u>Majority Opinion</u> : Abrahamson, C.J. <u>Concur</u> : Prosser, J. <u>Dissent</u> : Roggensack, J. joined by Ziegler, J. and Gableman, J. <u>Dissent</u> : Ziegler, J.	07/22/2014
2012AP55	State v. Andres Romero-Georgana Court of Appeals decision affirmed. <u>Majority Opinion</u> : Prosser, J. <u>Dissent</u> : Bradley, J. joined by Abrahamson, C.J.	07/23/2014
2012AP150-CR	State v. Jessica A. Nellessen Court of Appeals decision reversed and remanded to the circuit court. <u>Majority Opinion</u> : Gableman, J. <u>Dissent</u> : Bradley, J. joined by Abrahamson, C.J.	07/23/2014
2012AP393-CR	State v. Cortez Lorenzo Toliver Court of Appeals decision affirmed. <u>Majority Opinion</u> : Prosser, J. <u>Dissent</u> : Abrahamson, C.J. joined by Bradley, J.	07/23/2014

2012AP1967	<p>Data Key Partners v. Permira Advisors LLC Court of Appeals decision reversed. <u>Majority Opinion</u>: Roggensack, J. <u>Dissent</u>: Abrahamson, C.J. joined by Bradley, J. and Crooks, J.</p>	07/23/2014
2010AP3016-CR	<p>State v. Nicolas Subdiaz-Osorio Court of Appeals decision affirmed. <u>Majority Opinion</u>: Prosser, J. <u>Concur</u>: Bradley, J. <u>Concur</u>: Crooks, J. <u>Concur</u>: Roggensack, J. joined by Ziegler, J. <u>Concur</u>: Ziegler, J. joined by Roggensack, J. and Gableman, J. <u>Dissent</u>: Abrahamson, C.J.</p>	07/24/2014
2011AP1653-CR/ 2012AP520-CR	<p>State v. Carlos A. Cummings/State v. Adrean L. Smith Court of Appeals decision affirmed. <u>Majority Opinion</u>: Ziegler, J. <u>Concur/Dissent</u>: Prosser, J. <u>Dissent</u>: Abrahamson, C.J.</p>	07/24/2014
2012AP336-CR	<p>State v. Bobby L. Tate Court of Appeals decision affirmed. <u>Majority Opinion</u>: Roggensack, J. <u>Dissent</u>: Abrahamson, C.J. joined by Bradley, J. Part I-IV.</p>	07/24/2014
2012AP2499	<p>Eileen W. Legue v. City of Racine Judgment of the circuit court reversed and remanded. <u>Majority Opinion</u>: Abrahamson, C.J. <u>Dissent</u>: Ziegler, J. joined by Bradley, J. and Roggensack, J.</p>	07/25/2014
2011AP1467-CR	<p>State v. Donyil L. Anderson, Sr. Court of Appeals decision reversed. <u>Majority Opinion</u>: Gableman, J. <u>Concur</u>: Prosser, J. <u>Dissent</u>: Abrahamson, C.J. joined by Bradley, J.</p>	07/30/2014

2011AP1572	Julaine K. Appling v. Scott Walker Court of Appeals decision affirmed. <u>Majority Opinion</u> : Crooks, J. <u>Concur</u> : Abrahamson, C.J. <u>Concur</u> : Roggensack, J.	07/31/2014
2012AP584-AC	League of Women Voters of Wisconsin Education Network, Inc. v. Scott Walker Court of Appeals decision modified and affirmed. <u>Majority Opinion</u> : Roggensack, J. <u>Concur</u> : Crooks, J. <u>Dissent</u> : Abrahamson, C.J. joined by Bradley, J.	07/31/2014
2012AP1652	Milwaukee Branch of the NAACP v. Scott Walker Judgment of the circuit court reversed. <u>Majority Opinion</u> : Roggensack, J. <u>Dissent</u> : Abrahamson, C.J. <u>Dissent</u> : Crooks, J. joined by Bradley, J.	07/31/2014
2012AP2067	Madison Teachers, Inc. v. Scott Walker Judgment of the circuit court reversed. <u>Majority Opinion</u> : Gableman, J. <u>Concur</u> : Crooks, J. <u>Dissent</u> : Bradley, J. joined by Abrahamson, C.J.	07/31/2014