



# Supreme Court of Wisconsin

OFFICE OF THE CLERK

110 E. MAIN STREET, SUITE 215

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

Shirley S. Abrahamson  
Chief Justice

Diane M. Fremgen  
Clerk of Supreme Court

Telephone (608) 266-1880

TTY Users: Call WI TRS at 1-800-947-3529; request (608) 266-1880

Fax (608) 267-0640

Web Site: [www.wicourts.gov](http://www.wicourts.gov)

## WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

### December 2014

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

#### Opinions Issued by the Court

The Supreme Court issued opinions resolving 14 cases in December. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>December 2014</u>	<u>Term to Date</u>
Total number of cases resolved by opinion .....	<u>14</u>	<u>26</u>
Attorney disciplinary cases .....	2	12
Judicial disciplinary cases.....	0	0
Civil cases .....	6	7
Criminal cases .....	6	7

#### Petitions for Review

A total of 53 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 December, the Supreme Court disposed of 67 petitions for review, of which 9 petitions were granted. The Supreme Court currently has 202 petitions for review pending.

	<u>December 2014</u>	<u>Term to Date</u>
Petitions for Review filed .....	<u>53</u>	<u>250</u>
Civil cases .....	26	113
Criminal cases.....	27	137

Petition for Review dispositions .....	<u>67</u>	<u>344</u>
Civil cases (petitions granted).....	29 (5)	170 (18)
Criminal cases (petitions granted) .....	38 (2)	174 (15)

### Petitions for Bypass

In December, the Supreme Court received 1 petition for bypass and disposed of 8 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 2 petitions for bypass pending.

	<u>December 2014</u>	<u>Term to Date</u>
Petitions for Bypass filed.....	<u>1</u>	<u>2</u>
Civil cases .....	1	2
Criminal cases.....	0	0
Petition for Bypass dispositions.....	<u>8</u>	<u>11</u>
Civil cases (petitions granted).....	8 (5)	10 (5)
Criminal cases (petitions granted) .....	0 (0)	1 (0)

### Requests for Certification

During December 2014, the Supreme Court received 1 request for certification and disposed of 1 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>December 2014</u>	<u>Term to Date</u>
Requests for Certification filed.....	<u>1</u>	<u>2</u>
Civil cases .....	1	1
Criminal cases.....	0	1
Request for Certification dispositions.....	<u>1</u>	<u>1</u>
Civil cases (requests granted) .....	0 (0)	0 (0)
Criminal cases (requests granted) .....	1 (1)	1 (1)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 5 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 3 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. One original action was 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 37 regulatory matters and 13 petitions for supervisory writ pending.

December 2014 Term to Date

Filings

Attorney discipline (including reopened cases).....	5	27
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ .....	3	18
Other (including Original Actions).....	1	4

Dispositions by Order

Attorney discipline.....	1	2
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ .....	4	25
Other (including Original Actions).....	2	4

**DECISIONS BY THE  
WISCONSIN SUPREME COURT**

**OPINIONS ISSUED DURING December 2014**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
2012AP1827-D	Office of Lawyer Regulation (OLR) v. John J. Carter License Suspended Per Curiam <sup>1</sup>	12/12/2014
2012AP2350-D	OLR v. Richard W. Steffes Public Reprimand Per Curiam	12/18/2014

**CIVIL AND CRIMINAL CASES**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
2012AP1818-CR	State v. Ramon G. Gonzalez Court of Appeals Decision Affirmed <u>Majority Opinion:</u> Crooks, J. <u>Concur:</u> Abrahamson, C.J.	12/03/2014
2012AP2784	118th Street Kenosha, LLC v. Wisconsin Department of Transportation Court of Appeals Decision Reversed and Remanded <u>Majority Opinion:</u> Ziegler, J. <u>Concur:</u> Abrahamson, C.J.	12/10/2014
2013AP1638-FT	Outagamie County v. Michael H. Court of Appeals Decision Affirmed <u>Majority Opinion:</u> Crooks, J.	12/16/2014
2013AP1163-CR	State v. Kearney W. Hemp Court of Appeals Decision Reversed and Remanded <u>Majority Opinion:</u> Gableman, J.	12/18/2014

---

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

2012AP2466	Suzanne Stoker v. Milwaukee County Court of Appeals Decision Reversed and Remanded <u>Majority Opinion</u> : Ziegler, J. <u>Dissent</u> : Bradley, J. joined by Abrahamson, C.J.	12/19/2014
2011AP1673-CRNM	State v. Cassius A. Foster Court of Appeals Decision Affirmed <u>Majority Opinion</u> : Crooks, J. <u>Dissent</u> : Abrahamson, C.J. joined by Bradley, J.	12/26/2014
2012AP523-CR	State v. Alvernest Floyd Kennedy Court of Appeals Decision Affirmed <u>Majority Opinion</u> : Gableman, J. <u>Dissent</u> : Abrahamson, C.J.	12/26/2014
2012AP641	Julie A. Augsburger v. Homestead Mutual Insurance Company Court of Appeals Decision Reversed <u>Majority Opinion</u> : Bradley, J. <u>Dissent</u> : Prosser, J.	12/26/2014
2012AP1593-CR	State v. Michael R. Tullberg Court of Appeals Decision Affirmed <u>Majority Opinion</u> : Ziegler, J. <u>Concur</u> : Abrahamson, C.J.	12/26/2014
2012AP2521	Frederick W. Preisler v. Kuettel's Septic Service, LLC Court of Appeals Decision Affirmed <u>Majority Opinion</u> : Roggensack, J. <u>Concur</u> : Bradley, J. <u>Dissent</u> : Abrahamson, C.J.	12/30/2014
2013AP691 2013AP776	Wilson Mutual Insurance Company v. Robert Falk Court of Appeals Decision Reversed and Remanded <u>Majority Opinion</u> : Gableman, J. <u>Concur</u> : Bradley, J. <u>Dissent</u> : Abrahamson, C.J. Prosser, J. did not participate.	12/30/2014