



# Supreme Court of Wisconsin

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## WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

### July 2015

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of July 2015 and to date for the term that began on September 1, 2014.

#### Opinions Issued by the Court

The Supreme Court issued opinions resolving 32 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 2015</u>	<u>Term to Date</u>
Total number of cases resolved by opinion .....	<u>32</u>	<u>116</u>
Attorney disciplinary cases .....	8	48
Judicial disciplinary cases .....	0	0
Civil cases .....	14	34
Criminal cases .....	10	34

#### Petitions for Review

A total of 57 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 8 petitions for review, of which 1 petition was granted. The Supreme Court currently has 216 petitions for review pending.

	<u>July 2015</u>	<u>Term to Date</u>
Petitions for Review filed .....	<u>57</u>	<u>672</u>
Civil cases .....	27	327
Criminal cases .....	30	345

Petition for Review dispositions .....	<u>8</u>	<u>752</u>
Civil cases (petitions granted).....	5 (1)	367 (29)
Criminal cases (petitions granted) .....	3 (0)	385 (22)

Petitions for Bypass

In July, the Supreme Court received 2 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 4 petitions for bypass pending.

	<u>July 2015</u>	<u>Term to Date</u>
Petitions for Bypass filed .....	<u>2</u>	11
Civil cases .....	2	9
Criminal cases .....	0	2
Petition for Bypass dispositions.....	<u>1</u>	<u>18</u>
Civil cases (petitions granted).....	1 (0)	15 (6)
Criminal cases (petitions granted) .....	0 (0)	3 (0)

Requests for Certification

During July 2015, the Supreme Court received no requests for certification and disposed of no 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 2015</u>	<u>Term to Date</u>
Requests for Certification filed .....	<u>0</u>	<u>6</u>
Civil cases .....	0	4
Criminal cases .....	0	2
Request for Certification dispositions.....	<u>0</u>	<u>6</u>
Civil cases (requests granted) .....	0 (0)	4 (4)
Criminal cases (requests granted) .....	0 (0)	2 (2)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 8 matter within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and no such cases were reopened. The Supreme Court also received 1 petition 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 34 regulatory matters and 11 petitions for supervisory writ pending.

	<u>July 2015</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	8	60
Judicial discipline.....	0	0
Bar admission.....	0	1
Petitions for Supervisory Writ .....	1	47
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 .....	0	49
Other (including Original Actions).....	2	9

**DECISIONS BY THE  
WISCONSIN SUPREME COURT**

**OPINIONS ISSUED DURING July 2015**

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2012AP1845-D	Office of Lawyer Regulation (OLR) v. David J. Winkel License Suspended Per Curiam <sup>1</sup> <u>Concur</u> : Abrahamson, J. <u>Dissent</u> : Roggensack, C.J. joined by Ziegler, J. <u>Dissent</u> : Gableman, J.	07/07/2015
2013AP1769-D 2014XX817-BA	OLR v. Jordan E. Gall Board of Bar Examiners v. J.E.G. Public Reprimand and Motion Denied Per Curiam <u>Concur/Dissent</u> : Bradley, J. joined by Abrahamson, J.	07/09/2015
1989AP1848-D	OLR v. Daniel W. Linehan Reinstatement Granted Upon Conditions Per Curiam <u>Concur</u> : Abrahamson, J.	07/15/2015
1996AP3390-D 1997AP3862-D	BAPR v. Nancy A. Schlieve OLR v. Nancy A. Schlieve Reinstatement Denied Per Curiam <u>Dissent</u> : Abrahamson, J.	07/15/2015
2013AP1619-D	OLR v. Paul A. Strouse License Suspended Per Curiam Bradley, J. did not participate.	07/15/2015
2014AP2578-D	OLR v. Joseph J. Kaupie License Suspended Per Curiam	07/15/2015

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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.

## CIVIL AND CRIMINAL CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2013AP557-CR	State v. Corey R. Kucharski Court of Appeals decision reversed. <u>Majority Opinion</u> : Crooks, J. <u>Dissent</u> : Bradley, J. joined by Abrahamson, J.	07/07/2015
2013AP1345-CR	State v. Andrew M. Obricht Court of Appeals decision reversed. <u>Majority Opinion</u> : Roggensack, C.J. <u>Concur</u> : Bradley, J., joined by Abrahamson, J. and Crooks, J.	07/07/2015
2013AP1532	Ash Park, LLC v. Alexander & Bishop, Ltd. Court of Appeals decision affirmed. <u>Majority Opinion</u> : Abrahamson, J. <u>Concur</u> : Roggensack, C.J. Prosser, J. did not participate	07/07/2015
2013AP1750	Ronald J. Dakter v. Dale L. Cavallino Court of Appeals decision affirmed. <u>Majority Opinion</u> : Abrahamson, J. <u>Concur</u> : Roggensack, C.J. <u>Concur</u> : Ziegler, J. joined by Gableman, J.	07/07/2015
2013AP1437-CR	State v. Hatem M. Shata Court of Appeals reversed. <u>Majority Opinion</u> : Ziegler, J. <u>Dissent</u> : Bradley, J., joined by Abrahamson, J.	07/09/2015
2013AP1753-CR 2013AP1754-CR	State v. Rogelio Guarnero Court of Appeals affirmed. <u>Majority Opinion</u> : Roggensack, C.J. <u>Dissent</u> : Bradley, J., joined by Abrahamson, J.	07/09/2015
2013AP2435-CR	State v. Fernando Ortiz-Mondragon Court of Appeals affirmed. <u>Majority Opinion</u> : Ziegler, J. <u>Dissent</u> : Bradley, J., joined by Abrahamson, J.	07/09/2015
2013AP430-CR	State v. Patrick I. Hogan Court of Appeals affirmed. <u>Majority Opinion</u> : Prosser, J. <u>Concur</u> : Ziegler, J. <u>Dissent</u> : Bradley, J., joined by Abrahamson, J.	07/10/2015

2013AP1023	Adam R. Mayhugh v. State of Wisconsin Court of Appeals affirmed. <u>Majority Opinion</u> : Bradley, J. <u>Concur</u> : Gableman, J.	07/10/2015
2014AP1099-CR	State v. Maltese Lavele Williams Court of Appeals affirmed. <u>Majority Opinion</u> : Prosser, J. <u>Concur</u> : Abrahamson, J.	07/10/2015
2013AP1581-CR	State v. Richard E. Houghton, Jr. Court of Appeals reversed. <u>Majority Opinion</u> : Prosser, J. <u>Dissent</u> : Abrahamson, J., joined by Bradley, J.	07/14/2015
2013AP197-CR	State v. Jesse L. Herrmann Court of Appeals affirmed. <u>Majority Opinion</u> : Bradley, J. <u>Concur</u> : Prosser, J., joined by Roggensack, C.J. <u>Concur</u> : Ziegler, J., joined by Roggensack, C.J. and Gableman, J.	07/15/2015
2014AP296-OA 2014AP417-W thru 2014AP421-W 2013AP2504-W thru 2013AP2508-W	Two Unnamed Petitioners v. Gregory A. Peterson; Francis D. Schmitz v. Honorable Gregory A. Peterson; Three Unnamed Petitioners v. Gregory A. Peterson Original Action-Declaration of rights; relief granted; John Doe investigation order closed. Petition for Supervisory Writ and Appeal from John Doe Judge-Petition for supervisory writ denied and order affirmed. Petition for Supervisory and Review of Court of Appeals-Petition for supervisory writ denied and court of appeals decision affirmed. <u>Majority Opinion</u> : Gableman, J. <u>Concur</u> : Prosser, J., Roggensack, C.J. joins sections IV and V, Ziegler, J. and Gableman, J. join section IV. <u>Concur</u> : Ziegler, J. <u>Concur/Dissent</u> : Abrahamson, J. <u>Concur/Dissent</u> : Crooks, J. Bradley, J. did not participate.	07/16/2015