



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

May 2016

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of May 2016 and to date for the term that began on September 1, 2015.

Opinions Issued by the Court

The Supreme Court issued opinions involving 13 cases in May. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>May 2016</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>13</u>	<u>75</u>
Attorney disciplinary cases	6	33
Judicial disciplinary cases.....	0	0
Bar admission cases.. ..	1	1
Civil cases	4	29
Criminal cases	2	12

Petitions for Review

A total of 59 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 May, the Supreme Court disposed of 64 petitions for review, of which 1 petition was granted. The Supreme Court currently has 147 petitions for review pending.

	<u>May 2016</u>	<u>Term to Date</u>
Petitions for Review filed	<u>59</u>	<u>472</u>
Civil cases	30	210
Criminal cases.....	29	262

Petition for Review dispositions	<u>64</u>	<u>516</u>
Civil cases (petitions granted).....	25 (0)	249 (25)
Criminal cases (petitions granted)	39 (1)	267 (19)

Petitions for Bypass

In May, the Supreme Court received no petitions for bypass and disposed of no 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 no petitions for bypass pending.

	<u>May 2016</u>	<u>Term to Date</u>
Petitions for Bypass filed	<u>0</u>	<u>3</u>
Civil cases	0	2
Criminal cases	0	1
Petition for Bypass dispositions.....	<u>0</u>	<u>7</u>
Civil cases (petitions granted).....	0 (0)	6 (2)
Criminal cases (petitions granted)	0 (0)	1 (0)

Requests for Certification

During may 2016, 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 1 request for certification pending.

	<u>May 2016</u>	<u>Term to Date</u>
Requests for Certification filed	<u>0</u>	<u>9</u>
Civil cases	0	4
Criminal cases	0	5
Request for Certification dispositions.....	<u>0</u>	<u>8</u>
Civil cases (requests granted)	0 (0)	3 (3)
Criminal cases (requests granted)	0 (0)	5 (3)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 2 matters 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 4 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 34 regulatory matters and 6 petitions for supervisory writ pending.

	<u>May 2016</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	2	56
Judicial discipline.....	0	0
Bar admission.....	0	1
Petitions for Supervisory Writ	4	23
Other (including Original Actions).....	0	2
 <u>Dispositions by Order</u>		
Attorney discipline.....	0	6
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	3	25
Other (including Original Actions).....	0	8

**DECISIONS BY THE
WISCONSIN SUPREME COURT**

OPINIONS ISSUED DURING May 2016

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2016AP307-D	Office of Lawyer Regulation (OLR) v. Marc G. Kurzman License Suspended Per Curiam ¹	05/10/2016
2016AP318-D	OLR v. Edward W. Matchett Public Reprimand Per Curiam	05/10/2016
2013AP1918-D	OLR v. James E. Gatzke License Suspension Per Curiam <u>Concur/Dissent</u> : Gableman, J. joined by R.G. Bradley, J.	05/17/2016
2014AP2366-D	OLR v. Raymond M. Clark License Suspension Per Curiam	05/17/2016
2015AP1393-BA	Joshua E. Jarrett v. Board of Bar Examiners Board of Bar Examiners decision reversed and remanded. Per Curiam <u>Concur</u> : Prosser, J. joined by A.W. Bradley and R.G. Bradley, J. <u>Dissent</u> : Roggensack, C.J. joined by Ziegler, J. and Gableman, J.	05/18/2016
2015AP2100-D	OLR v. Charles A. Boyle License Suspension Per Curiam	05/18/2016
2015AP1966-D	OLR v. James G. Moldenhauer License Suspension Per Curiam	05/24/2016

¹ “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>
2014AP1213	Cheryl M. Sorenson v. Richard A. Batchelder Court of Appeals decision affirmed. <u>Majority Opinion</u> : Roggensack, C.J. <u>Dissent</u> : Abrahamson, J. joined by A.W. Bradley, J.	05/12/2016
2014AP2431	St. Croix County Department of Health and Human Services v. Michael D. Court of Appeals decision reversed. <u>Majority Opinion</u> : R.G. Bradley, J. <u>Concur</u> : Roggensack, C.J. joined by R.G. Bradley, J. <u>Concur</u> : Prosser, J. <u>Concur</u> : R.G. Bradley <u>Dissent</u> : Abrahamson, J. and A.W. Bradley, J.	05/12/2016
2013AP416	Peggy Z. Coyne v. Scott Walker Court of Appeals decision affirmed. <u>Majority Opinion</u> : Gableman, J. <u>Concur</u> : Abrahamson, J. joined by A.W. Bradley <u>Concur</u> : Prosser, J. <u>Dissent</u> : Roggensack, C.J. joined by Ziegler, J. and R.G. Bradley J. <u>Dissent</u> : Ziegler, J. joined by R.G. Bradley, J.	05/18/2016
2013AP2433-CR	State v. Stephen LeMere Court of Appeals decision affirmed. <u>Majority Opinion</u> : Prosser, J. <u>Dissent</u> : A.W. Bradley, J. joined by Abrahamson, J. R.G. Bradley did not participate.	05/20/2016
2014AP1853	Albert D. Moustakis v. State of Wisconsin Department of Justice Court of Appeals decision affirmed and remanded. <u>Majority Opinion</u> : Abrahamson, J. <u>Concur/Dissent</u> : Roggensack, C.J. joined by Ziegler, J. and Gableman, J.	05/20/2016

2013AP2686-CR

State v. Luis C. Salinas

05/26/2016

Court of Appeals decision reversed.

Majority Opinion: R.G. Bradley, J.

Dissent: Abrahamson, J. joined by A.W. Bradley, J.