



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

FEBRUARY 2021

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of February 2021 and to date for the term that began on September 1, 2020.

Opinions Issued by the Court

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

	<u>February 2021</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>8</u>	<u>36</u>
Attorney disciplinary cases	3	21
Judicial disciplinary cases.....	0	0
Bar Admissions	0	0
Civil cases	3	7
Criminal cases	2	8

Petitions for Review

A total of 38 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 February, the Supreme Court disposed of 93 petitions for review, of which 9 petitions were granted. The Supreme Court currently has 147 petitions for review pending.

	<u>February 2021</u>	<u>Term to Date</u>
Petitions for Review filed	38	295
Civil cases	11	108
Criminal cases	27	187

Petition for Review dispositions	93	314
Civil cases (petitions granted).....	37 (6)	124 (15)
Criminal cases (petitions granted)	56 (3)	190 (16)

Petitions for Bypass

In February, the Supreme Court received one petition 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 February also be granted where there is a clear need to hasten the ultimate appellate decision. The Supreme Court currently has one petition for bypass pending.

	<u>February 2021</u>	<u>Term to Date</u>
Petitions for Bypass filed	1	8
Civil cases	0	2
Criminal cases	1	6
Petition for Bypass dispositions.....	0	8
Civil cases (petitions granted).....	0 (0)	3 (1)
Criminal cases (petitions granted)	0 (0)	5 (1)

Requests for Certification

During February 2021, 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 no requests for certification pending.

	<u>February 2021</u>	<u>Term to Date</u>
Requests for Certification filed.....	0	<u>2</u>
Civil cases	0	0
Criminal cases	0	2
Request for Certification dispositions.....	<u>0</u>	<u>5</u>
Civil cases (requests granted)	0 (0)	2 (1)
Criminal cases (requests granted)	0 (0)	3 (3)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of no matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) was filed and no such cases were reopened. The Supreme Court also received 3 petitions for supervisory writ, which asks the Supreme Court to order the Court of Appeals or a Circuit Court to take a certain action in a case. There was one original action 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 107 regulatory matters and 10 petitions for supervisory writs pending.

	<u>February 2021</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	0	15
Judicial discipline.....	0	0
Bar admission.....	0	2
Petitions for Supervisory Writ	3	20
Other (including Original Actions).....	1	16
 <u>Dispositions by Order</u>		
Attorney discipline.....	0	0
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	3	21
Other (including Original Actions).....	2	14

**DECISIONS BY THE
WISCONSIN SUPREME COURT
OPINIONS ISSUED DURING FEBRUARY 2021**

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
#2018AP71	Mohns Inc. v. BMO Harris Bank National Association: THE DECISION OF THE COURT OF APPEALS IS AFFIRMED IN PART, REVERSED IN PART, AND THE CAUSE REMANDED TO THE CIRCUIT COURT FOR FURTHER PROCEEDINGS CONSISTENT WITH THIS OPINION. REBECCA GRASSL BRADLEY, J., delivered the majority opinion for a unanimous Court. ZIEGLER and HAGEDORN, JJ., did not participate.	02/02/2021
#2018AP1887	Waupaca County v. K.E.K.: THE DECISION OF THE COURT OF APPEALS IS AFFIRMED. ZIEGLER, J., delivered the majority opinion of the Court, in which ROGGENSACK, C. J., ANN WALSH BRADLEY, REBECCA GRASSL BRADLEY, and HAGEDORN, JJ., joined. DALLET, J., filed a dissenting opinion, in which KAROFKY, J., joined.	02/09/2021
#2018AP2066-CR	State v. Alfonso C. Loayza: THE DECISION OF THE COURT OF APPEALS IS REVERSED. ANN WALSH BRADLEY, J., delivered the majority opinion for a unanimous Court.	02/11/2021

#2016AP85-D

Office of Lawyer Regulation v. Daniel Parks

02/11/2021

PER CURIAM.

IT IS ORDERED that the petition for reinstatement of Daniel Parks is denied. **IT IS FURTHER ORDERED** that the requirement in SCR 22.33(4) requiring a nine-month waiting period before filing a subsequent reinstatement petition is waived. Daniel Parks may seek reinstatement upon a showing that he has addressed SCR 22.29(4m). **IT IS FURTHER ORDERED** that within 60 days of the date of this order, Daniel Parks shall pay to the Office of Lawyer Regulation the costs of this proceeding, which are \$6,370.43 as of July 16, 2020, or enter into a payment agreement plan with the Office of Lawyer Regulation for the full payment of costs over a period of time.

HAGEDORN, J., filed a dissenting opinion, in which **REBECCA GRASSL BRADLEY, J.,** joined.

#2019AP2405-D

Office of Lawyer Regulation v. Stanley Whitmore Davis:

02/17/2021

PER CURIAM.

IT IS ORDERED that the petition for revocation by consent is granted and the license of Stanley Whitmore Davis to practice law in Wisconsin is revoked, effective the date of this order. **IT IS FURTHER ORDERED** that to the extent he has not already done so, Stanley Whitmore Davis shall comply with the provisions of SCR 22.26 concerning the duties of a person whose license to practice law in Wisconsin has been revoked. **IT IS FURTHER ORDERED** that Stanley Whitmore Davis is ordered to pay restitution in the amount of \$7,500 to NASGA, \$7,500 to C.F., and \$4,000 to P.A.R. **IT IS FURTHER ORDERED** that

as a condition of any future petition for reinstatement of his license to practice law in Wisconsin, Stanley Whitmore Davis will be required to prove that he has made restitution to or settled all claims of all persons injured or harmed by his misconduct, including reimbursement to the Wisconsin Lawyers' Fund for Client Protection for all payments made by that fund, or, if restitution has not been made, Stanley Whitmore Davis will need to explain his failure or inability to do so. See SCR 22.29(4m). IT IS FURTHER ORDERED that within 60 days of the date of this order, Stanley Whitmore Davis shall pay the Office of Lawyer Regulation the costs of this proceeding, which are \$1,497.67 as of October 8, 2020. IT IS FURTHER ORDERED that the restitution specified above is to be completed prior to paying costs to the Office of Lawyer Regulation. IT IS FURTHER ORDERED that the administrative suspension of Stanley Whitmore Davis' license to practice law in Wisconsin, due to his failure to pay mandatory bar dues, for failure to file Office of Lawyer Regulation trust account certification, and for noncompliance with continuing legal education requirements, will remain in effect until each reason for the administrative suspension has been rectified pursuant to SCR 22.28(1).

#2019AP411-CR

**State v. Decarlos K. Chambers:
THE DECISION OF THE COURT OF
APPEALS IS AFFIRMED.
ZIEGLER, J., delivered the majority
opinion for a unanimous Court.**

02/23/2021

#2018AP1518

**Ted Ritter v. Tony Farrow
THE DECISION OF THE COURT OF
APPEALS IS REVERSED AND THE
CAUSE IS REMANDED.
KAROFSKY, J., delivered the majority
opinion of the Court, in which REBECCA
GRASSL BRADLEY, DALLET, and
HAGEDORN, JJ., joined.
ROGGENSACK, C. J., filed a dissenting
opinion in which ANN WALSH
BRADLEY and ZIEGLER, JJ., joined.**

02/23/2021

#2019AP1748-D

**Office of Lawyer Regulation v. Craig A.
Knapp
PER CURIAM.
IT IS ORDERED that the license of Craig
A. Knapp to practice law in Wisconsin is
revoked, effective as of the date of this
order. IT IS FURTHER ORDERED that
within 60 days of the date of this order,
Craig A. Knapp shall pay \$33,444.50
restitution to LJB Services. IT IS
FURTHER ORDERED that within 60 days
of the date of this order, Craig A. Knapp
shall pay to the Office of Lawyer
Regulation the costs of this proceeding,
which are \$5,786.79. IT IS FURTHER
ORDERED that the restitution specified**

02/25/2021

above is to be completed prior to paying costs to the Office of Lawyer Regulation. IT IS FURTHER ORDERED that the administrative suspension of Craig A. Knapp's license to practice law in Wisconsin, due to his failure to pay mandatory bar dues and for noncompliance with continuing legal education requirements, will remain in effect until each reason for the administrative suspension has been rectified pursuant to SCR 22.28(1). IT IS FURTHER ORDERED that Craig A. Knapp shall comply with the provisions of SCR 22.26 concerning the duties of a person whose license to practice law in Wisconsin has been revoked. ZIEGLER, J. concurs, joined by REBECCA GRASSL BRADLEY, DALLET, HAGEDORN, and KAROFKY, JJ.