



# Supreme Court of Wisconsin

OFFICE OF THE CLERK

110 E. MAIN STREET, SUITE 215

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

Patience Drake Roggensack  
Chief Justice

Sheila T. Reiff  
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

### JUNE 2021

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

#### Opinions Issued by the Court

The Supreme Court issued opinions resolving 22 cases in June. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>June 2021</u>	<u>Term to Date</u>
Total number of cases resolved by opinion .....	<u>22</u>	<u>88</u>
Attorney disciplinary cases .....	2	31
Judicial disciplinary cases.....	0	0
Bar Admissions .....	0	0
Civil cases .....	12	38
Criminal cases .....	8	19

#### Petitions for Review

A total of 68 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 June, the Supreme Court disposed of 41 petitions for review, of which 5 petitions were granted. The Supreme Court currently has 173 petitions for review pending.

	<u>June 2021</u>	<u>Term to Date</u>
Petitions for Review filed .....	68	524
Civil cases .....	21	190
Criminal cases .....	47	334

Petition for Review dispositions .....	41	517
Civil cases (petitions granted).....	12 (1)	196 (25)
Criminal cases (petitions granted) .....	29 (4)	321 (23)

### Petitions for Bypass

In June, the Supreme Court received one petition for bypass and disposed of one 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 June 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>June 2021</u>	<u>Term to Date</u>
Petitions for Bypass filed .....	1	12
Civil cases .....	1	4
Criminal cases .....	0	8
Petition for Bypass dispositions.....	1	12
Civil cases (petitions granted).....	0 (0)	4 (1)
Criminal cases (petitions granted) .....	1 (0)	8 (2)

### Requests for Certification

During June 2021, the Supreme Court received no requests for certification and disposed of one request 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>June 2021</u>	<u>Term to Date</u>
Requests for Certification filed.....	0	<u>6</u>
Civil cases .....	0	2
Criminal cases .....	0	4
Request for Certification dispositions.....	<u>1</u>	<u>9</u>
Civil cases (requests granted) .....	1 (1)	4 (3)
Criminal cases (requests granted) .....	0 (0)	5 (3)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of one matter within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) was filed and one such case was reopened. The Supreme Court also received 4 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 were no original actions 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 76 regulatory matters and 8 petitions for supervisory writs pending.

	<u>June 2021</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	2	22
Judicial discipline.....	0	0
Bar admission.....	0	2
Petitions for Supervisory Writ .....	4	33
Other (including Original Actions).....	0	15
 <u>Dispositions by Order</u>		
Attorney discipline.....	0	6
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ .....	0	29
Other (including Original Actions).....	1	17

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

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
#2018AP669	<p><b>Ronald L. Collision v. City of Milwaukee Board of Review THE DECISION OF THE COURT OF APPEALS IS AFFIRMED.</b> ANN WALSH BRADLEY, J., delivered the majority opinion of the Court, in which DALLET, HAGEDORN, and KAROFSKY, JJ., joined. ROGGENSACK, J., filed a dissenting opinion, in which ZIEGLER, C.J., and REBECCA GRASSL BRADLEY, J., joined.</p>	06/02/2021
#2019AP447-CR	<p><b>State v. Heather Jan Van Beek REVERSED AND REMANDED WITH INSTRUCTIONS.</b> ROGGENSACK, J., delivered the majority opinion of the Court with respect to ¶¶22-35 and ¶¶46-65, in which ANN WALSH BRADLEY, DALLET, and KAROFSKY, JJ., joined, and an opinion with respect to ¶¶1-21, ¶¶36-45, and ¶66. DALLET, J., filed a concurring opinion, in which ANN WALSH BRADLEY and KAROFSKY, JJ., joined. ZIEGLER, C.J., filed a dissenting opinion, in which REBECCA GRASSL BRADLEY and HAGEDORN, JJ., joined.</p>	06/04/2021
#2019AP2435-CR	<p><b>State v. James Timothy Genous THE DECISION OF THE COURT OF APPEALS IS REVERSED, AND THE CAUSE IS REMANDED TO THE COURT OF APPEALS.</b> HAGEDORN, J., delivered the majority opinion of the Court, in which ZIEGLER, C.J., ROGGENSACK, and REBECCA GRASSL BRADLEY, JJ., joined. DALLET, J., filed a dissenting opinion, in which ANN WALSH BRADLEY and KAROFSKY, JJ., joined.</p>	06/04/2021

#2016AP48-D	<p><b>Office of Lawyer Regulation v. John Hotvedt:</b> <b>PER CURIAM.</b> <b>IT IS ORDERED</b> that the license of John Hotvedt to practice law in Wisconsin is reinstated, effective the date of this order. <b>IT IS FURTHER ORDERED</b> that within 60 days of the date of this order, John Hotvedt shall pay to the Office of Lawyer Regulation the costs of this proceeding, which are \$4,867.82 as of May 5, 2021, or enter into a payment agreement plan with the Office of Lawyer Regulation for the full payment of costs over a period of time.</p>	06/04/2021
#2019AP130	<p><b>Southport Commons, LLC v. Wis. Dept. of Transportation</b> <b>THE DECISION OF THE COURT OF APPEALS IS AFFIRMED.</b> <b>ANN WALSH BRADLEY, J.</b>, delivered the majority opinion of the Court, in which <b>DALLET, HAGEDORN,</b> and <b>KAROFSKY, JJ.</b>, joined. <b>ROGGENSACK, J.</b>, filed a dissenting opinion, in which <b>ZIEGLER, C.J.</b>, and <b>REBECCA GRASSL BRADLEY, J.</b>, joined.</p>	06/08/2021
#2019AP818	<p><b>Southwest Airlines Co. v. Wis. Dept. of Revenue</b> <b>THE DECISION OF THE COURT OF APPEALS IS AFFIRMED.</b> <b>ANN WALSH BRADLEY, J.</b>, delivered the majority opinion for a unanimous Court.</p>	06/08/2021
#2019AP488	<p><b>Kemper Commons, LLC v. Wis. Dept. of Transportation</b> <b>AFFIRMED.</b> <b>REBECCA GRASSL BRADLEY, J.</b>, delivered the majority opinion of the Court, in which <b>ZIEGLER, C.J., ROGGENSACK,</b> and <b>HAGEDORN, JJ.</b>, joined. <b>KAROFSKY, J.</b>, filed a dissenting opinion in which <b>ANN WALSH BRADLEY</b> and <b>DALLET, JJ.</b>, joined.</p>	06/08/2021

#2020AP725-D

**Office of Lawyer Regulation v. Christopher S. Petros**  
**PER CURIAM.**

06/09/2021

**IT IS ORDERED** that the license of Christopher S. Petros to practice law in Wisconsin is revoked, effective the date of this order. **IT IS FURTHER ORDERED** that within 60 days of the date of this order, Christopher S. Petros shall pay restitution of \$5,000 to A.M., Jr. **IT IS FURTHER ORDERED** that within 60 days of the date of this order, Christopher S. Petros shall pay to the Office of Lawyer Regulation the costs of this proceeding, which are \$3,910.22 as of February 3, 2021. **IT IS FURTHER ORDERED** that payment of restitution is to be completed prior to paying costs to the Office of Lawyer Regulation. **IT IS FURTHER ORDERED** that Christopher S. Petros shall comply, if he has not already done so, with the requirements of SCR 22.26 pertaining to the duties of a person whose license to practice law in Wisconsin has been revoked.

#2019AP894

**Eau Claire County DHS v. S. E.**  
**AFFIRMED.**

06/10/2021

**REBECCA GRASSL BRADLEY, J.**, delivered the majority opinion of the Court, in which **ZIEGLER, C.J., ROGGENSACK,** and **HAGEDORN, JJ.**, joined. **DALLET, J.**, filed a dissenting opinion in which **ANN WALSH BRADLEY** and **KAROFISKY, JJ.**, joined.

#2019AP882

**City of Mayville v. Wis. Dept. of Administration**  
**THE DECISION OF THE COURT OF APPEALS IS AFFIRMED.**

06/11/2021

**ROGGENSACK, J.**, delivered the majority opinion for a unanimous Court.

#2020AP1419-OA/  
#2020AP1420-OA/  
#2020AP1446-OA

**James v. Heinrich / WCRIS v. Heinrich / St. Ambrose Academy v. Parisi**  
**RIGHTS DECLARED; ORDER VACATED.**  
**REBECCA GRASSL BRADLEY, J.**, delivered the majority opinion of the Court, in which **ZIEGLER, C.J.**, and **ROGGENSACK, J.**, joined; and in which **HAGEDORN** joined except for footnote 18. **HAGEDORN, J.**, filed a concurring opinion. **DALLET, J.**, filed a dissenting opinion in which **ANN WALSH BRADLEY** and **KAROFISKY, JJ.**, joined.

06/11/2021

#2019AP1983-CR

**State v. Jacob Richard Beyer**  
**THE JUDGMENT AND ORDER OF THE CIRCUIT COURT IS REVERSED AND CAUSE REMANDED.**  
**ROGGENSACK, J.**, delivered the majority opinion of the Court, in which **ZIEGLER, C.J.**, **ANN WALSH BRADLEY**, **REBECCA GRASSL BRADLEY**, **DALLET**, and **KAROFISKY, JJ.**, joined, and in which **HAGEDORN, J.**, joined with respect to Part I and Parts II.A., C., and D.

06/15/2021

#2010AP1272-CR

**State v. Jordan Alexander Lickes**  
**THE DECISION OF THE COURT OF APPEALS IS AFFIRMED.**  
**REBECCA GRASSL BRADLEY, J.**, delivered the majority opinion of the Court, in which **ZIEGLER, C.J.**, **ROGGENSACK, HAGEDORN**, and **KAROFISKY, JJ.**, joined. **ANN WALSH BRADLEY, J.**, filed a dissenting opinion in which **DALLET, J.**, joined.

06/15/2021

#2018AP2318-CR

**State v. Alan M. Johnson**  
**THE DECISION OF THE COURT OF APPEALS IS AFFIRMED IN PART AND REVERSED IN PART, AND THE CAUSE IS REMANDED TO THE CIRCUIT COURT FOR FURTHER PROCEEDINGS CONSISTENT WITH THIS OPINION.**  
**HAGEDORN, J.**, delivered the majority opinion of the Court, in which **ANN WALSH BRADLEY**, **REBECCA GRASSL BRADLEY**, and **DALLET, JJ.**, joined. **ZIEGLER, C.J.**, filed a dissenting opinion, in which **ROGGENSACK, J.**, joined, and in which **KAROFISKY, J.**, joined ¶¶1-3, 5-23, and 30-48.

06/16/2021

#2018AP2220-CR

**State v. Adam W. Vice**

06/16/2021

**THE DECISION OF THE COURT OF APPEALS IS REVERSED, AND THE CAUSE IS REMANDED TO THE CIRCUIT COURT FOR FURTHER PROCEEDINGS CONSISTENT WITH THIS OPINION.**

**KAROFSKY, J.**, delivered the majority opinion of the Court, in which **ZIEGLER, C.J.**, **ROGGENSACK, REBECCA GRASSL BRADLEY**, and **DALLET, JJ.**, joined, and in which **HAGEDORN, J.**, joined except for ¶25 and footnote 14. **HAGEDORN, J.**, filed a concurring opinion.

**ANN WALSH BRADLEY, J.**, withdrew from participation

#2021AP616-CR

**State v. Anthony M. Schmidt**

06/18/2021

**THE JUDGMENT AND ORDER OF THE CIRCUIT COURT ARE AFFIRMED.**

**ZIEGLER, C.J.**, delivered the majority opinion of the Court, in which **ROGGENSACK, REBECCA GRASSL BRADLEY**, and **KAROFSKY, JJ.**, joined, and in which **ANN WALSH BRADLEY, DALLET**, and **HAGEDORN, JJ.**, joined with respect to Parts I, II, and III.A. **ROGGENSACK, J.**, filed a concurrence, in which **REBECCA GRASSL BRADLEY, J.**, joined. **HAGEDORN, J.**, filed an opinion concurring in part, and dissenting in part, in which **ANN WALSH BRADLEY** and **DALLET, JJ.**, joined.

#2016AP308-CR

**State v. Dawn M. Prado**

06/18/2021

**THE DECISION OF THE COURT OF APPEALS IS AFFIRMED.**

**ANN WALSH BRADLEY, J.**, delivered the majority opinion of the Court, in which **REBECCA GRASSL BRADLEY, DALLET, HAGEDORN**, and **KAROFSKY, JJ.**, joined. **ROGGENSACK, J.**, filed a concurring opinion, in which **ZIEGLER, C.J.**, joined.

#2019AP1918

**Cheyne Monroe v. Chad Chase**

06/22/2021

**THE ORDER OF THE CIRCUIT COURT IS REVERSED AND THE CAUSE IS REMANDED.**

**KAROFSKY, J.**, delivered the majority opinion for a unanimous Court.



#2019AP1200

**Kathy Schwab v. Paul Schwab**  
**THE DECISION OF THE COURT OF APPEALS IS REVERSED.**

06/22/2021

**DALLET, J.**, delivered the majority opinion of the Court, in which **ANN WALSH BRADLEY, ROGGENSACK,** and **KAROFKY, JJ.**, joined. **ZIEGLER, C.J.**, filed a dissenting opinion, in which **REBECCA GRASSL BRADLEY** and **HAGEDORN, JJ.**, joined. **REBECCA GRASSL BRADLEY, J.**, filed a dissenting opinion.

#2019AP1404-CR

**State v. George Steven Burch**  
**THE JUDGMENT OF THE CIRCUIT COURT IS AFFIRMED.**

06/29/2021

**HAGEDORN, J.**, delivered the majority opinion of the Court, in which **ZIEGLER, C.J, ROGGENSACK,** and **REBECCA GRASSL BRADLEY, JJ.**, joined, and in which **DALLET** and **KAROFKY, JJ.**, joined with respect to Parts I. and II.B. **REBECCA GRASSL BRADLEY, J.**, filed a concurring opinion. **DALLET, J.**, filed an opinion concurring in part and dissenting in part, in which **KAROFKY, J.**, joined and in which **ANN WALSH BRADLEY, J.**, joined except for footnote 1. **ANN WALSH BRADLEY, J.**, filed a dissenting opinion.

#2020AP2945

**Abby D. Padlock v. Board of Bar Examiners**  
**PER CURIAM.**

06/29/2021

**IT IS ORDERED** that the decision of the Board of Bar Examiners declining to certify that Abby D. Padlock has satisfied the requirements for admission to the practice of law in Wisconsin is reversed and the matter is remanded to the Board for further action consistent with this order. **IT IS FURTHER ORDERED** that the documents submitted under seal are deemed confidential and shall remain under seal until further order of the court.

**ZIEGLER, C. J.** filed a dissenting opinion, in which **ROGGENSACK** and **HAGEDORN, JJ.**, joined.

