



# 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

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)

A. John Voelker  
Director of State Courts  
and  
Acting Clerk of Supreme Court

## WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

### JUNE 2011

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of June 2011 and to date for the term that began on September 1, 2010.

#### Opinions Issued by the Court

The Supreme Court issued opinions resolving 11 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 2011</u>	<u>Term to Date</u>
Total number of cases resolved by opinion .....	<u>11</u>	<u>59</u>
Attorney disciplinary cases .....	6	25
Judicial disciplinary cases .....	0	0
Civil cases .....	2	23
Criminal cases .....	3	11

#### Petitions for Review

A total of 76 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 58 petitions for review, of which 1 petition was granted. The Supreme Court currently has 201 petitions for review pending.

	<u>June 2011</u>	<u>Term to Date</u>
Petitions for Review filed .....	<u>76</u>	<u>672</u>
Civil cases .....	43	341
Criminal cases .....	33	331

Petition for Review dispositions .....	<u>58</u>	<u>666</u>
Civil cases (petitions granted).....	25 (0)	348 (41)
Criminal cases (petitions granted) .....	33 (1)	318 (21)

### Petitions for Bypass

In June, the Supreme Court received two 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>June 2011</u>	<u>Term to Date</u>
Petitions for Bypass filed .....	<u>2</u>	<u>9</u>
Civil cases .....	2	7
Criminal cases .....	0	2
Petition for Bypass dispositions.....	<u>0</u>	<u>11</u>
Civil cases (petitions granted).....	0 (0)	7 (0)
Criminal cases (petitions granted) .....	0 (0)	4 (1)

### Requests for Certification

During June 2011, the Supreme Court received 2 requests for certification and disposed of 3 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 3 requests for certification pending.

	<u>June 2011</u>	<u>Term to Date</u>
Requests for Certification filed.....	<u>2</u>	<u>10</u>
Civil cases .....	2	8
Criminal cases .....	0	2
Request for Certification dispositions.....	<u>3</u>	<u>9</u>
Civil cases (requests granted) .....	2 (1)	6 (4)
Criminal cases (requests granted) .....	1 (1)	3 (3)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, 4 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and no cases (disciplinary) 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. 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 41 regulatory matters and 10 writs pending.

	<u>June 2011</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	4	68
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ (other writs) .....	3	50
Other (including Original Actions).....	0	2
 <u>Dispositions by Order</u>		
Attorney discipline.....	1	9
Judicial discipline.....	0	0
Bar admission.....	0	1
Petitions for Supervisory Writ (other writs) .....	6	53
Other (including Original Actions).....	0	8

**DECISIONS BY THE  
WISCONSIN SUPREME COURT**

**OPINIONS ISSUED DURING JUNE 2011**

**ATTORNEY DISCIPLINE CASES**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
2009AP773-D	Office of Lawyer Regulation (OLR) v. Willie J. Nunnery License revoked. Per Curiam <sup>1</sup> Prosser, J. did not participate.	06/07/2011
2006AP2430-D	Office of Lawyer Regulation (OLR) v. Carlos A. Gamino Per Curiam License reinstated.	06/15/2011
1992AP3208-D	Board of Attorneys Professional Responsibility n/k/a Office of Lawyer Regulation (OLR) v. David V. Jennings III Per Curiam License reinstated <u>Dissent</u> : Prosser, J.	06/23/2011
2010AP1543-D	Office of Lawyer Regulation (OLR) v. Terrence J. Woods Per Curiam License suspended six months	06/23/2011
2010AP2527-D	Office of Lawyer Regulation v. Ann T. Bowe Public Reprimand Per Curiam <u>Dissent</u> : Abrahamson, C. J., joined by Bradley, J. and Crooks, J.	06/24/2011

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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.

2011AP909-D	Office of Lawyer Regulation (OLR) v. Kristine A. Peshek Per Curiam License suspended 60 days	06/24/2011
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**CIVIL AND CRIMINAL CASES**

<b><u>Docket No.</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
2008AP2595	Wanda Brethorst v. Allstate Property and Casualty Insurance Company Order of circuit court affirmed and cause remanded. <u>Majority Opinion</u> : Prosser, J. <u>Concurrence</u> : Bradley, J., joined by Abrahamson, C.J.	06/14/2011
2009AP1209-CR	State v. Brian T. St. Martin Certified questions answered; judgment and order of the circuit court affirmed. <u>Majority Opinion</u> : Crooks, J. <u>Dissent</u> : Bradley, J., joined by Abrahamson, C. J.	06/22/2011
2009AP2934-CR	State v. Deandre A. Buchanan Affirmed. <u>Majority Opinion</u> : Crooks, J.	06/29/2011
2008AP2206-CR	State v. Charles Lamar Affirmed. <u>Majority Opinion</u> : Gableman, J. <u>Dissent</u> : Abrahamson, C. J., joined by Bradley, J.	06/29/2011
2009AP438	David Bushard v. Steven A. Reisman Affirmed. <u>Majority Opinion</u> : Bradley, J. <u>Dissent</u> : Roggensack, J.	06/30/2011