



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

MARCH 2012

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of March 2012 and to date for the term that began on September 1, 2011.

Opinions Issued by the Court

The Supreme Court issued opinions resolving 17 cases in March. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>March 2012</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>17</u>	<u>42</u>
Attorney disciplinary cases	6	20
Judicial disciplinary cases	0	0
Civil cases	9	14
Criminal cases	2	8

Petitions for Review

A total of 54 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 March, the Supreme Court disposed of 52 petitions for review, of which 1 petition was granted. The Supreme Court currently has 211 petitions for review pending.

	<u>March 2012</u>	<u>Term to Date</u>
Petitions for Review filed	<u>54</u>	<u>444</u>
Civil cases	29	215
Criminal cases	25	229

Petition for Review dispositions	<u>52</u>	<u>557</u>
Civil cases (petitions granted).....	23 (0)	273 (23)
Criminal cases (petitions granted)	29 (1)	284 (10)

Petitions for Bypass

In March, the Supreme Court received 0 petitions for bypass and disposed of 0 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 1 petition for bypass pending.

	<u>March 2012</u>	<u>Term to Date</u>
Petitions for Bypass filed	<u>0</u>	<u>4</u>
Civil cases	0	3
Criminal cases	0	1
Petition for Bypass dispositions.....	<u>0</u>	<u>5</u>
Civil cases (petitions granted).....	0 (0)	5 (1)
Criminal cases (petitions granted)	0 (0)	0 (0)

Requests for Certification

During March 2012, the Supreme Court received 2 requests for certification and disposed of 1 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 2 requests for certification pending.

	<u>March 2012</u>	<u>Term to Date</u>
Requests for Certification filed	<u>2</u>	<u>6</u>
Civil cases	2	4
Criminal cases	0	2
Request for Certification dispositions.....	<u>1</u>	<u>6</u>
Civil cases (requests granted)	0 (0)	3 (2)
Criminal cases (requests granted)	1 (1)	3 (3)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 7 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and 1 such case was 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 48 regulatory matters and 11 petitions for supervisory writ pending.

	<u>March 2012</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	6	45
Judicial discipline.....	1	1
Bar admission.....	0	0
Petitions for Supervisory Writ	3	40
Other (including Original Actions).....	0	5
<u>Dispositions by Order</u>		
Attorney discipline.....	0	11
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	7	42
Other (including Original Actions).....	0	7

**DECISIONS BY THE
WISCONSIN SUPREME COURT**

OPINIONS ISSUED DURING MARCH 2012

ATTORNEY DISCIPLINE CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
#1999AP000062-D 2002AP002962-D	Office of Lawyer Regulation (OLR) v. Jane A. Edgar Petition for reinstatement denied Per Curiam ¹	03/01/2012
2010AP002538-D	OLR v. Donald Hahnfeld 1 Year Suspension Per Curiam	03/01/2012
2011AP002326-D	OLR v. Tracy R. Eichhorn-Hicks Public Reprimand 1 Year Suspension Per Curiam	03/01/2012
2006AP002842-D	OLR v. Paul W. Humphrey 30 Day Suspension Per Curiam	03/30/2012
2006AP002851-D	OLR v. Joseph L. Sommers 30 Day Suspension Per Curiam	03/30/2012

CIVIL AND CRIMINAL CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
#2009AP002768	Joel Hirschhorn and Evelyn F. Hirschhorn v. Auto-Owners Insurance Company Court of Appeals decision is reversed. <u>Majority Opinion</u> : Ziegler, J. <u>Dissent</u> : Abrahamson, C.J., joined by Bradley, J.	03/06/2012

¹ “Per Curiam” means “by the Court.” Opinions issued *per curiam* are handed down by the Court as a whole.

2009AP002848	Lindy Orłowski v. State Farm Mutual Automobile Insurance Company Order of the Circuit Court is affirmed. <u>Majority Opinion</u> : Crooks, J.	03/07/2012
2010AP001391-CRNM	State v. Jeffery G. Sutton Court of Appeals decision reversed and cause remanded. <u>Majority Opinion</u> : Abrahamson, C.J.	03/08/2012
2011AP000987	Ted Nickel v. United States of America Court of Appeals decision is affirmed. <u>Majority Opinion</u> : Crooks, J. <u>Concurrence</u> : Abrahamson, C.J. Prosser, J. did not participate.	03/08/2012
2009AP001643-CR	State v. William Dinkins, Sr. Court of Appeals decision is affirmed. <u>Majority Opinion</u> : Bradley, J. <u>Concurrence</u> : Roggensack, J <u>Dissent</u> : Ziegler, J., joined by Gableman, J.	03/13/2012
2010AP000355	Heritage Farms, Inc. v. Markel Ins. Co. Court of Appeals decision is reversed and remanded to the circuit court with instructions. <u>Majority Opinion</u> : Ziegler, J. <u>Dissent</u> : Bradley, J.	03/16/2012
2010AP001937-OA	Wisconsin Prosperity Network v. Gordon Myse Original action is dismissed and August 13, 2010 order is vacated. Per Curiam	03/19/2012
2011AP000329-FT	Michael J. Waldvogel Trucking, LLC v. State of Wisconsin Labor and Industry Review Commission Review of the decision of the court of appeals is dismissed as improvidently granted. Per Curiam <u>Dissent</u> : Roggensack, J.	03/21/2012
2009AP003029	Crown Castle USA, Inc. v. Orion Logistics, LLC Court of Appeals decision is reversed and	03/22/2012

remanded to the circuit court for further proceedings.

Majority Opinion: Gableman, J.

Dissent: Abrahamson, C.J., joined by Bradley, J. and Crooks, J.

2009AP002099

Admiral Insurance Company v. Paper
Converting Machine Co.
Orders of the Court of Appeals are reversed.
Majority Opinion: Bradley, J.

03/27/2012

2009AP002549

Robert Johnson v. Cintas Corporation No. 2
Court of Appeals decision is affirmed.
Majority Opinion: Ziegler, J.
Dissent: Bradley, J., joined by Abrahamson,
C. J.

03/27/2012