



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

JULY 2012

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

Opinions Issued by the Court

The Supreme Court issued opinions resolving 23 cases in July. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

	<u>July 2012</u>	<u>Term to Date</u>
Total number of cases resolved by opinion	<u>23</u>	<u>101</u>
Attorney disciplinary cases	5	39
Judicial disciplinary cases	0	0
Civil cases	10	42
Criminal cases	8	20

Petitions for Review

A total of 64 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 July, the Supreme Court disposed of 10 petitions for review, of which 0 petitions were granted. The Supreme Court currently has 284 petitions for review pending.

	<u>July 2012</u>	<u>Term to Date</u>
Petitions for Review filed	<u>64</u>	<u>715</u>
Civil cases	32	359
Criminal cases	32	356

Petition for Review dispositions	<u>10</u>	<u>754</u>
Civil cases (petitions granted).....	3 (0)	374 (34)
Criminal cases (petitions granted)	7 (0)	380 (16)

Petitions for Bypass

In July, the Supreme Court received 3 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 3 petitions for bypass pending.

	<u>July 2012</u>	<u>Term to Date</u>
Petitions for Bypass filed	<u>3</u>	<u>7</u>
Civil cases	2	5
Criminal cases	1	2
Petition for Bypass dispositions.....	<u>0</u>	<u>6</u>
Civil cases (petitions granted).....	0 (0)	5 (1)
Criminal cases (petitions granted)	0 (0)	1 (0)

Requests for Certification

During July 2012, the Supreme Court received 1 request 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 4 requests for certification pending.

	<u>July 2012</u>	<u>Term to Date</u>
Requests for Certification filed.....	<u>1</u>	<u>13</u>
Civil cases	1	9
Criminal cases	0	4
Request for Certification dispositions.....	<u>0</u>	<u>11</u>
Civil cases (requests granted)	0 (0)	6 (3)
Criminal cases (requests granted)	0 (0)	5 (5)

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of 4 matters within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and 0 such case was reopened. The Supreme Court also received 6 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 37 regulatory matters and 15 petitions for supervisory writ pending.

	<u>July 2012</u>	<u>Term to Date</u>
<u>Filings</u>		
Attorney discipline (including reopened cases).....	4	62
Judicial discipline.....	0	1
Bar admission.....	0	1
Petitions for Supervisory Writ	6	65
Other (including Original Actions).....	0	6
<u>Dispositions by Order</u>		
Attorney discipline.....	0	10
Judicial discipline.....	0	0
Bar admission.....	0	0
Petitions for Supervisory Writ	0	60
Other (including Original Actions).....	0	13

**DECISIONS BY THE
WISCONSIN SUPREME COURT**

OPINIONS ISSUED DURING July 2012

ATTORNEY DISCIPLINE CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2005AP2110-D	Office of Lawyer Regulation (OLR) v. John A. Chavez Reinstatement Granted Per Curiam ¹	07/10/2012
2011AP989-D	OLR v. Reed Martin Public Reprimand Per Curiam	07/10/2012
2011AP737-D	OLR v. Daynel L. Hooker License Suspension Per Curiam	07/18/2012
2011AP2736-D	OLR v. Lisa A. Webber Hicks Public Reprimand and License Suspension Per Curiam	07/19/2012
2011AP2767-D	OLR v. Ryan D. Lister License Suspension Per Curiam	07/27/2012

CIVIL AND CRIMINAL CASES

<u>Docket No.</u>	<u>Title</u>	<u>Date</u>
2010AP2514-CR	State v. Scott E. Ziegler Circuit Court judgment affirmed. <u>Majority Opinion</u> : Ziegler, J. <u>Concur/Dissent</u> : Abrahamson, C.J., joined by Bradley, J.	07/03/2012
2009AP2752	Michelle B. Wadzinski v. Auto-Owners Insurance Company Court of Appeals decision reversed.	07/05/2012

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

	<p><u>Majority Opinion</u>: Roggensack, J. <u>Dissent</u>: Bradley, J. joined by Abrahamson, C.J.</p>	
2010AP2900	<p>Wisconsin Dolls, LLC v. Town of Dell Prairie Court of Appeals decision reversed and remanded. <u>Majority Opinion</u>: Prosser, J.</p>	07/05/2012
2009AP608	<p>John Adams v. State of Wisconsin Court of Appeals decision affirmed. <u>Majority Opinion</u>: Gableman, J. <u>Dissent</u>: Abrahamson, C.J., joined in part III of dissent by Bradley, J.</p>	07/11/2012
2009AP2795	<p>Jaymie A. Gister v. American Family Mutual Ins. Co. Court of Appeals decision reversed. <u>Majority Opinion</u>: Gableman, J. <u>Dissent</u>: Bradley, J., joined by Abrahamson, C.J. and Crooks, J.</p>	07/11/2012
2010AP878	<p>Wisconsin Public Service Corp. v. Arby Construction Court of Appeals decision affirmed. <u>Majority Opinion</u>: Prosser, J. <u>Concurrence/Disent</u>: Abrahamson, C.J., joined by Bradley, J.</p>	07/11/2012
2010AP2533	<p>John N. Kroner v. Oneida Seven Generations Corporation Court of Appeals decision reversed and remanded. <u>Majority Opinion</u>: Crooks, J. <u>Concurrence</u>: Prosser, J. <u>Concurrence</u>: Roggensack, J., joined by Ziegler, J. and Gableman, J.</p>	07/11/2012
2010AP2762	<p>Wisconsin Industrial Energy Group v. PSC Circuit Court order affirmed. <u>Majority Opinion</u>: Roggensack, J. <u>Dissent</u>: Bradley, J. joined by Abrahamson, C.J.</p>	07/11/2012

2009AP1505-CR	<p>State v. Harry Thompson Court of Appeals decision reversed and remanded to Circuit Court. <u>Majority Opinion</u>: Prosser, J. <u>Concurrence</u>: Ziegler, J. joined by Roggensack, J. and Gableman, J.</p>	07/12/2012
2010AP11192-CR	<p>State v. Roshawn Smith Court of Appeals decision reversed. <u>Majority Opinion</u>: Gableman, J. <u>Dissent</u>: Abrahamson, C.J., joined by Bradley, J.</p>	07/12/2012
2010AP1702	<p>State v. Abraham C. Negrete Court of Appeals decision affirmed. <u>Majority Opinion</u>: Roggensack, J. <u>Dissent</u>: Abrahamson, C.J., joined by Bradley, J.</p>	07/12/2012
2010AP2273-CR	<p>State v. Jon Anthony Soto Circuit Court judgment affirmed. <u>Majority Opinion</u>: Roggensack, J. <u>Dissent</u>: Bradley, J., joined by Abrahamson, C.J.</p>	07/12/2012
2010AP2705	<p>Kathleen DeBruin v. St. Patrick Congregation Circuit Court judgment affirmed. <u>Majority Opinion</u>: Roggensack, J. <u>Concurrence</u>: Crooks, J. <u>Concurrence</u>: Prosser, J. <u>Dissent</u>: Bradley, J., joined by Abrahamson, C.J.</p>	07/12/2012
2009AP2057-CR	<p>State v. David W. Stevens Court of Appeals decision affirmed. <u>Majority Opinion</u>: Prosser, J. <u>Concurrence</u>: Ziegler, J., joined by Roggensack, J. and Gableman, J. <u>Concurrence/Dissent</u>: Abrahamson, C.J.</p>	07/13/2012

2009AP2907-CR	State v. Joseph J. Spaeth Circuit Court judgment reversed and remanded. <u>Majority Opinion</u> : Prosser, J. <u>Concurrence</u> : Abrahamson, C.J. <u>Dissent</u> : Roggensack, J.	07/13/2012
2010AP505-CR	State v. Randy L. Martin Court of Appeals reversed and remanded. <u>Majority Opinion</u> : Gableman, J. <u>Concurrence</u> : Abrahamson, C.J. <u>Concurrence</u> : Bradley, J.	07/13/2012
2010AP342	Robert E. Brenner v. City of New Richmond Court of Appeals decision affirmed. <u>Majority Opinion</u> : Prosser, J.	07/17/2012
2010AP2801-CR	State v. Michael L. Frey Court of Appeals affirmed. <u>Majority Opinion</u> : Prosser, J.	07/17/2012