

WISCONSIN SUPREME COURT CALENDAR AND CASE SYNOPSES OCTOBER 2025

The October 13 case below will be heard in the Supreme Court Hearing Room, 231 East, State Capitol. The cases on October 27 will be held at the Richland County Courthouse as part of the *Justice on Wheels* program. The cases listed below originated in the following counties:

Manitowoc
Menominee
Milwaukee

MONDAY, OCTOBER 13, 2025

9:45 a.m.	2022AP937	Legend Lake Property Owners Association, Inc. v. Guy Keshena
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MONDAY, OCTOBER 27, 2025

9:45 a.m.	2024AP126	Savannah Wren v. Columbia St. Mary's Hospital Milwaukee, Inc.
11:00 a.m.	2023AP2102	State v. K.R.C.

Note: The Supreme Court calendar may change between the time you receive it and when a case is heard. It is suggested that you confirm the time and date of any case you are interested in by calling the Clerk of the Supreme Court at (608) 266-1880. If your news organization is interested in providing any type of camera coverage of Supreme Court oral argument, you must contact media coordinator Jason Cuevas at WISC-TV, (608) 277-5241. The synopses provided are not complete analyses of the issues presented.

WISCONSIN SUPREME COURT

October 13, 2025

9:45 a.m.

2022AP937

Legend Lake Property Owners Association, Inc. v. Guy Keshena

This is a certification from the Wisconsin Court of Appeals, District III (headquartered in Wausau), seeking review of a Menominee County Circuit Court decision, Judge Katherine Sloma presiding. The case centers on whether the Menominee Indian Tribe of Wisconsin is protected by sovereign immunity in a property dispute involving residential lots near Legend Lake, and whether that immunity bars enforcement of restrictive covenants under state law.

The case stems from a suit filed by the Legend Lake Property Owners Association (LLPOA) against Guy Keshena, a tribal member, and the Menominee Indian Tribe. LLPOA alleged that properties held in fee simple by or associated with Guy Keshena within the Legend Lake development were subject to restrictive covenants recorded prior to the Tribe's purchase. These covenants included provisions for property use and assessments, along with a clause purporting to waive sovereign immunity for enforcement purposes. The Tribe moved to dismiss the action, asserting sovereign immunity and arguing that state law could not be used to enforce the covenants against it.

The circuit court ruled in favor of the Tribe, concluding that sovereign immunity barred the lawsuit and rejecting LLPOA's arguments that the Tribe had waived immunity by purchasing the properties with notice of the covenants. The court also rejected arguments that the Menominee Restoration Act (MRA) abrogated the Tribe's immunity or that any exception to immunity applied based on the nature of the dispute.

The Wisconsin Supreme Court granted review to address the following issues:

- 1) Whether Congress abrogated the Menominee Indian Tribe's sovereign immunity through the Menominee Restoration Act, Pub. L. No. 93-197, § 3(b), 87 Stat. 770 (1973) ("MRA").
- 2) Whether there is an "in rem" exception or an "immovable property" exception to tribal sovereign immunity.
- 3) Whether the Tribe waived its sovereign immunity when it purchased properties that were subject to restrictive covenants, including one that specifically provided that any purchaser waived sovereign immunity.
- 4) Whether the MRA preempts the enforcement of restrictive covenants on property under state law.

WISCONSIN SUPREME COURT
October 27, 2025
9:45 a.m.
(ARGUMENT HELD IN RICHLAND CENTER, WI)

2024AP126

Savannah Wren v. Columbia St. Mary's Hospital Milwaukee, Inc.

This is a review of a decision by the Wisconsin Court of Appeals, District I (headquartered in Milwaukee), which reversed a Milwaukee County Circuit Court order, Judge Kashoua Kristy Yang presiding, and remanded for further proceedings. The case examines whether Wisconsin's COVID-19 health care immunity statute, Wis. Stat. § 895.4801, is constitutional in light of the state constitutional right to a jury trial.

The lawsuit was filed by Savannah Wren, individually and as personal representative of the Estate of Calvin Gordon, Jr., along with Calvin Gordon, against Columbia St. Mary's Hospital Milwaukee, Inc., two treating physicians (Jessica Hoelzle, M.D., and Jordan Hauck, D.O.), and the Injured Patients and Families Compensation Fund. The complaint alleges negligent medical care surrounding prenatal and delivery-related decisions in May 2020 that culminated in the newborn's death on May 24, 2020. The defendants moved to dismiss based on Wis. Stat. § 895.4801, asserting statutory immunity tied to the state's COVID-19 public health emergency. The circuit court granted the motion and dismissed the case.

On appeal, the Court of Appeals reversed and remanded. It held that whether the immunity statute applies turns on factual questions, such as whether the alleged acts or omissions were taken in response to pandemic conditions or were materially affected by them. The appellate court concluded that those questions cannot be resolved on the pleadings alone. The matter was returned to the circuit court for further proceedings consistent with that analysis.

The Wisconsin Supreme Court granted review to address the following issues:

- 1) Whether Wis. Stat. § 895.4801's grant of immunity to health care providers for allegedly negligent actions at the start of the COVID-19 pandemic is an unconstitutional violation of an individual's right to a jury trial.

WISCONSIN SUPREME COURT
October 27, 2025
11:00 a.m.
(ARGUMENT HELD IN RICHLAND CENTER, WI)

2023AP2102

State v. K.R.C.

This is a review of a decision by the Wisconsin Court of Appeals, District II (headquartered in Waukesha), which affirmed a Manitowoc County Circuit Court order, Judge Jerilyn M. Dietz presiding. The case considers whether a juvenile's statements to law enforcement should be suppressed on the grounds that they were obtained in violation of Miranda protections or were involuntarily given due to coercive interrogation tactics.

The case stems from an investigation in which a juvenile, identified in court records as K.R.C., was questioned by a school resource officer and a police detective about suspected involvement in criminal activity. During the interview, which took place in a school conference room, K.R.C. made incriminating statements without having been given Miranda warnings. The juvenile later moved to suppress those statements, arguing that he was in custody at the time of the interrogation and that the failure to administer Miranda warnings violated his constitutional rights. He also claimed that the statements were involuntary because they were the result of coercive police conduct.

The circuit court denied the motion to suppress, finding that K.R.C. was not in custody during the interview and that the officers' conduct was not coercive. The Court of Appeals affirmed, reasoning that a reasonable person in K.R.C.'s position would not have believed they were in custody, and that the interview environment did not rise to the level of coercion required to render a statement involuntary. The appellate court emphasized that the officers used a conversational tone, did not use physical force or threats, and allowed K.R.C. to leave after the interview.

The Wisconsin Supreme Court granted review to address the following issues:

- 1) Whether K.R.C. was 'in custody' under the Miranda standard and should have been provided Miranda warnings.
- 2) Whether K.R.C.'s inculpatory statements were involuntarily procured by coercive police tactics.