



OFFICE OF THE CLERK

Supreme Court of Wisconsin

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October 11, 2019

To:

Hon. Dennis R. Cimpl
Circuit Court Judge
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You are hereby notified that the Court, by its Chief Justice, has entered the following order:

No. 2018AP75-CR

State v. Neill L.C.#2016CF2997

This case is scheduled for oral argument on Monday, October 14, 2019 as part of the court's Justice on Wheels program in Montello. The plaintiff-respondent has informed the court, by letter dated October 10, 2019, that it just learned of an unpublished court of appeals' decision, State v. Culver, 2018AP799-CR, that may impact the issue presented in the instant case. The plaintiff-respondent does not expand on the possible nature of the impact. The defendant-appellant-petitioner has responded to the plaintiff-respondent's letter by requesting that the October 14 oral argument be rescheduled and the parties be ordered to file additional briefing to address Culver's possible impact on this case. Due to the timing of the parties' letters and the adverse effect rescheduling the oral argument would have on the Justice on Wheels program, the court concludes that it is not feasible to grant the defendant-appellant-petitioner's request. Accordingly,

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IT IS ORDERED that the case will remain on the October 14, 2019 oral argument calendar. The parties may address the impact of the Culver decision during their presentation;

IT IS FURTHER ORDERED that by 4:30 p.m. today the plaintiff-respondent inform the court and opposing counsel, in writing, how it believes the Culver decision impacts the issue raised in this case;

IT IS FURTHER ORDERED that on or before October 21, 2019 the plaintiff-respondent shall file a supplemental brief, not to exceed ten pages, addressing the impact, if any, of the Culver decision on the issue raised in this case;

IT IS FURTHER ORDERED that on or before October 28, 2019, the defendant-appellant-petitioner shall file a supplemental brief, not to exceed ten pages, responding to the plaintiff-respondent's brief regarding the impact, if any, of the Culver decision on the issue raised in this case.

Sheila T. Reiff
Clerk of Supreme Court