

FILED

05-20-2026

CLERK OF WISCONSIN
SUPREME COURT

Supreme Court of Wisconsin



No. 2024AP2585-CR

STATE V. MANN-TATE

L.C. #2022CF4573

May 20, 2026

The Court has entered the following order:

A petition for review pursuant to WIS. STAT. § 808.10 having been filed on behalf of plaintiff-respondent-petitioner, State of Wisconsin, and considered by this court;

IT IS ORDERED that the petition for review is granted and that pursuant to WIS. STAT. § (Rule) 809.62(6), the plaintiff-respondent-petitioner may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court; and

IT IS FURTHER ORDERED that pursuant to WIS. STAT. §§ (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the plaintiff-respondent-petitioner, State of Wisconsin, must file a brief in this court; that within 20 days of filing the defendant-appellant, Noah Mann-Tate, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the defendant-appellant, within 10 days of filing the plaintiff-respondent-petitioner must file either a reply brief or a statement that no reply brief will be filed; and

IT IS FURTHER ORDERED that the parties' briefs shall address the following additional issues:

1. Whether, under *State v. Kleser*, 2010 WI 88, ¶18, 328 Wis. 2d 42, 786 N.W.2d 144, the reverse waiver statute, while not expressly providing for consideration of the unique characteristics of youth outlined in the court of appeals' opinion and the constitutional case law, is nevertheless broad enough to encompass those factors as part of the juvenile's "reasonable

STATE V. MANN-TATE

No. 2024AP2585-CR

latitude to offer admissible evidence for the purpose of meeting his burden to prove the three elements for reverse waiver"; and

2. Whether the trial court erroneously exercised its discretion in denying the motion for reverse waiver based on the record before it; and

IT IS FURTHER ORDERED that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and

IT IS FURTHER ORDERED that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and

IT IS FURTHER ORDERED that the allowance of costs, if any, in connection with the granting of the petition will abide the decision of this court on review.

Samuel A. Christensen
Clerk of Supreme Court

Distribution List:

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