FILED
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CLERK OF WISCONSIN
SUPREME COURT

Supreme Court of Wisconsin

NO. 2025AP1170-CR **STATE V. ROBENHORST** **L.C. #2021CF129**

May 22, 2026

The Court, by its Commissioners, has entered the following order:

Randall Robenhorst, through Attorney John T. Wasielewski, has appealed a judgment of conviction and an order denying postconviction relief. Attorney Wasielewski filed an appellate brief-in-chief on Mr. Robenhorst's behalf on August 13, 2025. The State of Wisconsin filed its appellate response brief on September 10, 2025. Attorney Wasielewski filed an appellate reply brief on Mr. Robenhorst's behalf on September 25, 2025.

On April 1, 2026, Mr. Robenhorst filed a pro se petition to bypass the court of appeals pursuant to WIS. STAT. § (Rule) 809.60.

On May 18, 2026, Mr. Robenhorst filed a pro se letter asking this court for various relief, including to "assist me to obtain a proper answer from the Wisconsin State Public Defender's Office regarding my request for appointment of [a] new attorney to represent me for this appeal"; to "stay . . . the appeal pending a proper response to said request from the SPD"; and to direct Attorney Wasielewski "to file an amended brief and appendix," or, alternatively, to direct "that the appellate brief and appendix be stricken in their current form and not be considered by any court."

IT IS ORDERED that Mr. Robenhorst's pro se petition to bypass is dismissed. Under WIS. STAT. § (Rule) 809.60(1)(a), a petition to bypass must be filed with the clerk of this court no later than 14 days after the filing of the respondent's brief under WIS. STAT. § (Rule) 809.19. As noted above, the State of Wisconsin filed its appellate response brief on September 10, 2025, making any petition to bypass due 14 days thereafter, i.e., by September 24, 2025. Mr. Robenhorst's pro se petition to bypass, filed April 1, 2026, is therefore untimely. In addition, Mr. Robenhorst's pro se petition to bypass is not properly

before this court because Mr. Robenhorst is represented by counsel. *See State v. Redmond*, 203 Wis. 2d 13, 19-20, 552 N.W.2d 115 (Ct. App. 1996) ("At the outset, a defendant must make a choice of whether to proceed with counsel or pro se, and while a defendant may later discharge appointed counsel, at no time may a defendant pursue both avenues simultaneously.")

IT IS FURTHER ORDERED that, in light of the dismissal of Mr. Robenhorst's petition to bypass, the court will take no action on any of the requests contained in his May 18, 2026 letter. *See id.*

Samuel A. Christensen
Clerk of Supreme Court

Distribution List:
Hon. Jay N. Conley (Electronic Notice)
Trisha LeFebre (Electronic Notice)
Alexander Schmidt (Electronic Notice)
John T. Wasielewski (Electronic Notice)
Kelsey Jarecki Morin Loshaw (U.S. Mail)
Randall J. Robenhorst (U.S. Mail)