FILED
06-16-2026
CLERK OF WISCONSIN
SUPREME COURT

Supreme Court of Wisconsin

NO. 2024AP1175 **MINORITY BUSINESS ASSOCIATION OF WISCONSIN V. WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE, AND CONSUMER PROTECTION** **L.C.#2023CV1299**

June 16, 2026

The Court has entered the following order:

A petition for review pursuant to WIS. STAT. § 808.10 having been filed on behalf of plaintiffs-appellants-petitioners, Minority Business Association of Wisconsin and Divine Landscaping, LLC, and considered by this court;

IT IS ORDERED that the petition for review is granted but only as to the first issue raised in the petition, as follows:

> Under the Wisconsin and U.S. Constitutions, an administrative-search regime is constitutional only if it affords the target of the search an opportunity to obtain meaningful precompliance review of the search demand before a neutral decisionmaker. Has a party subject to administrative searches under such a regime set forth a justiciable claim under the Uniform Declaratory Judgements Act when, before it receives a search demand, it claims that the regime is unconstitutional precisely because it fails to provide meaningful precompliance review?

IT IS FURTHER ORDERED that pursuant to WIS. STAT. § (Rule) 809.62(6), the plaintiffs-appellants-petitioners may not raise or argue issues not set above 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 plaintiffs-appellants-petitioners must file a brief in this court; that within 20 days of filing the defendant-respondent, Wisconsin Department of Agriculture, Trade, and Consumer, Protection, must file either

a brief or a statement that no brief will be filed; and that if a brief is filed by the defendant-respondent, within 10 days of filing the plaintiffs-appellants-petitioners must file either a reply brief or a statement that no reply brief will be filed; 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' briefs 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

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