FILED
07-06-2026
CLERK OF WISCONSIN
SUPREME COURT

Supreme Court of Wisconsin

2025AP2121-OA **VOCES DE LA FRONTERA, INC. v. GERBER**

July 6, 2026

The Court has entered the following order:

By order dated December 3, 2025, this court granted the petition of petitioner, Voces de la Frontera, Inc. ("Voces"), for leave to commence an original action and established an initial briefing schedule for this matter. Subsequent to that order, the respondents, Sheriff Dave Gerber et al. ("the Respondent Sheriffs"), removed this case to the United States District Court for the Western District of Wisconsin ("the Western District Court"). On May 21, 2026, the clerk of this court received a letter from the Western District Court advising that, via an Opinion and Order issued on May 15, 2026, the Western District Court remanded this case to this court. This court is aware that on May 26, 2026, the Respondent Sheriffs filed a notice of joint appeal, appealing from the Western District Court's May 15, 2026 Opinion and Order.

On June 2, 2026, counsel for Voces filed a letter acknowledging the filing of the notice of appeal. They state that the appeal does not operate as an automatic stay because the notice of appeal was filed after the Western District Court remanded the case. They ask this court to establish a new briefing schedule that would proceed simultaneously with the appeal of the remand order in the United States Court of Appeals for the Seventh Circuit ("the Seventh Circuit").

On June 12, 2026, the Respondent Sheriffs filed a motion asking this court to stay this proceeding pending the disposition of the appeal pending before the Seventh Circuit. On June 23, 2026, Voces filed a response opposing any stay and asking this court to proceed with briefing on the merits.

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On June 30, 2026, the United States of America filed a motion asking to intervene in this proceeding, both as a matter of right pursuant to WIS. STAT. § 803.09(1) and with this court's discretionary permission pursuant to WIS. STAT. § 803.09(2).

To avoid potential uncertainty and conflict, we decline the petitioner's request to order a briefing schedule that would allow the case to proceed simultaneously with the federal appeal of the order remanding the case to this court, and we grant a stay pending further order of this court. Because we conclude that this matter should be stayed at this juncture, we do not address the motion of the United States of America to intervene, and we hold that motion in abeyance while the stay remains in effect.

Accordingly,

IT IS ORDERED that this case shall be held in abeyance pending further order of the court. The parties are directed to advise this court in writing of the disposition of the appeal filed in the federal court by the Respondent Sheriffs; and

IT IS FURTHER ORDERED that the motion of the United States of America to intervene in this proceeding is held in abeyance pending further order of the court.

Samuel A. Christensen
Clerk of Supreme Court

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