FILED
08-21-2026
CLERK OF WISCONSIN
SUPREME COURT

Supreme Court of Wisconsin

NO. 2025AP2006-W **JACKSON V. MILLER** **L.C. #s 2017CF3795**
2018CF137

August 21, 2026

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

On July 30, 2026, this court entered an order dismissing as untimely a petition for review filed by John A. Jackson, pro se, of the court of appeals' June 24, 2026 decision in this matter. This court's July 30, 2026 order noted that the petition was postmarked after the 30-day jurisdictional deadline for filing a petition for review had passed, that the petition itself was dated two months before the court of appeals issued its decision, and that Jackson failed to include a certification or affidavit of mailing indicating that he deposited his petition in the prison mail system within 30 days of the date of the court of appeals' decision.

Jackson moves for reconsideration of that order. His motion is supported by a signed and notarized affidavit averring: (1) that he misdated the petition as signed on April 23, 2026 instead of July 23, 2026; (2) that he placed his petition for review in the prison mail system by hand delivering it to a corrections officer in a correctly addressed envelope on July 23, 2026; and (3) that attached disbursements requests substantiate his averment that his petition for review was placed in the prison mail system on July 23, 2026. These allegations are sufficient to establish that Jackson's petition was timely filed under the prison mailbox tolling rule. *See State ex rel. Nichols v. Litscher*, 2001 WI 119, ¶27, 247 Wis. 2d 1013, 635 N.W.2d 292.

IT IS ORDERED that the motion for reconsideration is granted, that the court's July 30, 2026 order dismissing the petition is vacated, and that Jackson's previously dismissed petition for review is accepted for filing; and

JACKSON V. MILLER
2025AP2006-W

IT IS FURTHER ORDERED that any response to the petition for review by the respondent, Robert Miller, shall be filed within 14 days of the date of this order.

Samuel A. Christensen
Clerk of Supreme Court

Distribution List:
Hon. Jean M. Kies (Electronic Notice)
Anna Hodges, Clerk of Circuit Court (Electronic Notice)
John Blimling (Electronic Notice)
John A. Jackson (U.S. Mail)