FILED
08-24-2026
CLERK OF WISCONSIN
SUPREME COURT

Supreme Court of Wisconsin

NOS. 2024AP278 & 2026AP1102-W | **STATE V. FRICKE** / **FRICKE V. BOUGHTON** | **L.C. #2019CF605**

August 24, 2026

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

Attorney Cole Daniel Ruby, counsel for Jordan Fricke, has filed a petition for writ of habeas corpus in which he represents that, due to a calendaring error, he failed to timely file a petition for review of the court of appeals' March 31, 2026 decision in *State v. Fricke*, 2024AP278, in which the court of appeals affirmed Mr. Fricke's judgment of conviction and an order denying his postconviction motions. The deadline for any petition for review was April 30, 2026. *See* WIS. STAT. §§ 808.10(1), 809.62(1m). Attorney Ruby submitted a petition for review and appendix on Mr. Fricke's behalf in Case No. 2024AP278 several days past this deadline, on May 5, 2026.

Given Attorney Ruby's admission that he missed the filing deadline for the petition for review due to his own error,

IT IS ORDERED that the petition for writ of habeas corpus is granted, *ex parte*, and the petition for review and appendix that Attorney Ruby submitted in Case No. 2024AP278 are accepted for filing, *see State ex rel. Schmelzer v. Murphy*, 201 Wis. 2d 246, 548 N.W.2d 45 (1996); and

IT IS FURTHER ORDERED that the plaintiff-respondent, State of Wisconsin, shall file any response to the petition for review within 14 days of the date of this order. The parties will thereafter be notified in due course of this court's disposition of the petition for review.

Samuel A. Christensen
Clerk of Supreme Court

STATE V. FRICKE
FRICKE V. BOUGHTON
NOS. 2024AP278 & 2026AP1102-W

Distribution List:
Hon. Jeffrey A. Wagner (Electronic Notice)
Anna Hodges, Clerk of Circuit Court (Electronic Notice)
John Blimling (U.S. Mail)
Cole Daniel Ruby (Electronic Notice)
Christine A. Remington (Electronic Notice)