FILED
10-20-2026
CLERK OF WISCONSIN
SUPREME COURT

Supreme Court of Wisconsin

NO. 2025AP2826 **COMMUNITY FIRST CREDIT UNION V. JACKSON** **L.C.#2025SC381**

October 20, 2026

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

On August 12, 2026, the court of appeals issued a decision adverse to defendant-appellant, Daniel Jackson. Mr. Jackson is incarcerated.

On September 4, 2026, the court of appeals denied Mr. Jackson's pro se motion to reconsider its decision, which he had filed on August 28, 2026.

On October 8, 2026, the clerk of this court received for filing a pro se petition for review from Mr. Jackson. In the petition, Mr. Jackson certifies that he placed the petition in the prison mail system on September 30, 2026.

On October 9, 2026, the court, by its clerk, issued an order dismissing the petition for review as untimely.

On October 19, 2026, Mr. Jackson filed a document that we construe as a motion for this court to reconsider its October 9, 2026 dismissal order. Mr. Jackson attached to his motion a copy of his disbursement request for postage for his petition for review, which provides further proof that he placed the petition for review in the prison mail system on September 30, 2026.

IT IS ORDERED that the motion for reconsideration is granted and this court's October 9, 2026 order dismissing the petition for review is vacated. Mr. Jackson's petition for review was timely pursuant to *State ex rel. Nichols v. Litscher*, 2001 WI 119, ¶1, 247 Wis. 2d 1013, 635 N.W.2d 292 (holding that, for certain court filings, the filing deadline is tolled on the date a pro se prisoner delivers a filing to the proper prison authorities for mailing). *See also* WIS. STAT. § 808.10(2)("If a motion for reconsideration is filed in the court of appeals under s. 809.24(1) within 20 days after the date of a decision of the court of appeals, the 30-day time period to file the petition for review starts on the date the court

of appeals determines the motion for reconsideration by filing an order denying the motion for reconsideration or an amended decision.")

IT IS FURTHER ORDERED that the petition for review received by the clerk of courts on October 8, 2026, is hereby reinstated and will be considered on the merits; and

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

Samuel A. Christensen
Clerk of Supreme Court

Distribution List:
Hon. Carey J. Reed (Electronic Notice)
Kayla Bembenek, Clerk of Circuit Court (Electronic Notice)
David J. Van Lieshout (Electronic Notice)
Daniel Jackson (U.S. Mail)