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Supreme Court of Wisconsin

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June 1, 2020

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Circuit Court Judge
Ozaukee County Circuit Court
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You are hereby notified that the Court has entered the following order:

No. 2020AP123-W Zignego v. Wisconsin Court of Appeals, Dist. IV
L.C.#2019CV449

On January 21, 2020, a petition for a supervisory writ relating to the court of appeals' orders staying the circuit court's writ of mandamus and its contempt order pending appeal in that court, a motion for immediate temporary relief, and a motion for leave to file a reply memorandum were filed on behalf of petitioners, State of Wisconsin ex rel. Timothy Zignego, David W. Opitz, and Frederick G. Luehrs, III. Responses were subsequently filed by the Wisconsin Court of Appeals, District IV, and by the Wisconsin Elections Commission, Marge Bostelmann, Julie Glancey, Ann Jacobs, Dean Knudsen, and Mark Thomsen. On February 28, 2020, the court of appeals issued a final decision on the merits of the appeals of the circuit court's writ of mandamus and its contempt order (Nos. 2019AP2397 and 2020AP112), which superseded the court of appeals' orders staying the circuit court's writ and contempt order pending appeal. Accordingly;

IT IS ORDERED that the motion for leave to file a reply memorandum in support of the petition for supervisory writ is denied; and

IT IS FURTHER ORDERED that the motion for immediate temporary relief is denied; and

IT IS FURTHER ORDERED that the petition for supervisory writ is denied as moot.

DANIEL KELLY, J., did not participate.

REBECCA GRASSL BRADLEY, J. *(dissenting).* Once again,[1] this court neglected its institutional responsibility to make a decision in a critically important and time-sensitive case involving voting rights and the integrity of Wisconsin's elections. It is the duty of Wisconsin's highest court to decide cases presenting novel issues of statewide significance; instead, the majority abdicated its responsibility to an intermediate court of appeals elected by only one district in the state. Elections are the foundation of American government and their integrity is of such monumental importance that any threat to their validity should trigger not only our concern but our prompt action. I would have granted the petition.[2] Instead, this court maintained its idle position as elections come and go, with potentially grave consequence to the people of Wisconsin. I dissent.

Sheila T. Reiff
Clerk of Supreme Court

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[1] SXR Zignego v. Wis. Elections Comm'n, No. 2019AP2397, unpublished order (WI Jan. 13, 2020) (Rebecca Grassl Bradley, J., dissenting, joined by Roggensack, C.J. and Ziegler, J.).

[2] I also would have granted the petitioners' request to file a reply memorandum.