



OFFICE OF THE CLERK

Supreme Court of Wisconsin

110 EAST MAIN STREET, SUITE 215

P.O. BOX 1688

MADISON, WI 53701-1688

TELEPHONE (608) 266-1880

FACSIMILE (608) 267-0640

Web Site: www.wicourts.gov

October 21, 2020

To:

Hon. Joseph R. Wall
Circuit Court Judge
Safety Building, Rm. 313
821 W. State St.
Milwaukee, WI 53233

John Barrett
Clerk of Circuit Court
Room 114
821 W. State Street
Milwaukee, WI 53233

Elizabeth A. Longo
Assistant District Attorney
821 W. State St., Ste. 405
Milwaukee, WI 53233

Aaron R. O'Neil
Assistant Attorney General
P.O. Box 7857
Madison, WI 53707-7857

Winston B. Eison 110505
Winnebago Correctional Center
P.O. Box 128
Winnebago, WI 54985-0219

You are hereby notified that the Court, by its Clerk and Commissioners, has entered the following order:

No. 2018AP1058

State v. Eison L.C.#2006CF2202

On May 19, 2020, the court of appeals issued its decision in this matter. Defendant-appellant, Winston B. Eison, pro se, filed a petition for review on June 24, 2020, that was signed and dated June 19, 2020 and postmarked June 22, 2020. The petition for review was dismissed as untimely by order dated July 2, 2020.

On July 13, 2020, Mr. Eison filed a motion for reconsideration. Mr. Eison asks that the petition for review be deemed timely for several reasons. He claims: 1) he did not receive the court of appeals' decision until May 24, 2020; 2) dating the petition for June 19, 2020, was an "oversight"; and 3) the prison officials mishandled the delivery of his petition.

IT IS ORDERED that the motion for reconsideration is dismissed. Rule 808.10(1) provides that a petition for review must be filed in this court "within 30 days of the date of the decision of

Page 2

October 21, 2020

No. 2018AP1058

State v. Eison L.C.#2006CF2202

the court of appeals." A petition for review must be physically received in the clerk's office within 30 days of the date of the court of appeals' decision or order that is sought to be reviewed. St. John's Home v. Continental Cas. Co., 150 Wis. 2d 37, 43, 441 N.W.2d 219 (1989). The 30-day period for filing a petition for review cannot be extended, and if a petition for review is not filed within 30 days of the date of the court of appeals' decision, this court lacks subject matter jurisdiction over the case and the petition must be dismissed. See First Wis. Nat'l Bank of Madison v. Nicholaou, 87 Wis. 2d 360, 274 N.W.2d 704 (1979).

Sheila T. Reiff
Clerk of Supreme Court