

**RECEIVED****STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE****Josh Kaul  
Attorney General****CLERK OF SUPREME COURT  
OF WISCONSIN**

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February 12, 2021

Ms. Sheila T. Reiff  
Clerk, Wisconsin Supreme Court  
110 East Main Street, Suite 215  
Post Office Box 1688  
Madison, WI 53701-1688

Re: *State of Wisconsin v. Ryan Hugh Mulhern*  
Case No. 2019AP1565-CR

Dear Ms. Reiff:

Enclosed for filing in the above action please find the original and nine copies of the Unopposed Motion for Extension of Time to File Opening Brief. A copy of this motion has been mailed to counsel for the defendant-appellant.

Sincerely,

Sarah L. Burgundy  
Assistant Attorney General

SLB:lml

Enclosures

c: Dennis Schertz  
Counsel for the Defendant-Appellant

**FILED****FEB 12 2021****CLERK OF SUPREME COURT  
OF WISCONSIN**

STATE OF WISCONSIN

IN SUPREME COURT

No. 2019AP1565-CR

STATE OF WISCONSIN,

Plaintiff-Respondent-Petitioner,

v.

RYAN HUGH MULHERN,

Defendant-Appellant.

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**UNOPPOSED MOTION FOR EXTENSION OF TIME  
TO FILE OPENING BRIEF**

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The State of Wisconsin, by Assistant Attorney General Sarah L. Burgundy, moves this Court for an order setting Friday, February 26, 2021, as the due date for its opening brief in this matter. Wis. Stat. §§ (Rules) 809.14 and 809.82(2).

The grounds in support of this motion follow:

1. I am the State's attorney of record in this case.

2. This is my first motion for an enlargement of time of the briefing schedule in this appeal. This Court granted the State's petition for review on January 20, 2021, making the opening brief due February 19, 2021.

3. Since January 20, I have been obligated to complete my work on the following previously assigned matters before focusing my attention on the opening brief in this case:

(1) reviewing and drafting a recommendation regarding a request to join an amicus brief in *Caniglia v. Strom*, Case No. 20-157, U.S. Supreme Court, assigned December 23, 2020, due February 16, 2021;

(2) drafting and filing a response brief in *State v. Barbuto*, Case No. 2020AP1253-CR, Wis. Ct. App., assigned December 3, 2020, filed February 3, 2021 (first extension); and

(3) drafting a response brief in *State v. Evans*, Case No. 2020AP1504-CR, Wis. Ct. App., assigned November 10, 2020, due February 15, 2021 (first extension plus tolling).

4. I have begun drafting the opening brief, but will require additional time to complete my research, complete the draft, edit it, and allow my associate sufficient time to prepare it for filing.

5. I have contacted Defendant-Appellant Mulhern's counsel, Dennis Schertz, about this request. He has indicated that he does not oppose it.

6. Based on the foregoing, I will need at least through Friday, February 26, 2021, to file the opening brief in the case. I do not anticipate requesting any additional extensions.

For these reasons, the State asks this Court for an order setting Friday, February 26, 2021, as the due date for its opening brief in this matter.

Dated this 12th day of February 2021.

Respectfully submitted,

JOSHUA L. KAUL  
Attorney General of Wisconsin



SARAH L. BURGUNDY  
Assistant Attorney General  
State Bar #1071646

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Respondent-Petitioner

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