

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

April 22, 2021

To:

Hon. Michael A. Haakenson
Circuit Court Judge
51 S. Main St.
Janesville, WI 53545

Jacki Gackstatter
Clerk of Circuit Court
Rock County Courthouse
51 S. Main St.
Janesville, WI 53545

Sara Lynn Shaeffer
Assistant Attorney General
P.O. Box 7857
Madison, WI 53707-7857

Patricia Sommer
Sommer Law Office, LLC
509 Nova Way
Madison, WI 53704

Gerald A. Urbik
Assistant District Attorney
51 S. Main St.
Janesville, WI 53545

Joseph N. Ehmann
Regional Attorney Manager
Wisconsin State Public Defenders
P.O. Box 7862
Madison, WI 53707-7862

Marvin D. Greer 253564
Fox Lake Correctional Inst.
P.O. Box 200
Fox Lake, WI 53933-0200

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

No. 2019AP265-CR State v. Greer L.C. #2015CF1190

On January 22, 2021, counsel for defendant-appellant, Marvin D. Greer, filed a no-merit petition for review of the court of appeals' December 23, 2021 decision in this matter. On February 16, 2021, Mr. Greer filed a motion for an extension of time to file his supplemental petition, which stated that he was waiting to receive a complete record of the underlying circuit court proceedings from counsel.

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No. 2019AP265-CR

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On February 18, 2021, this court granted Mr. Greer's motion for an extension of time to file his supplemental petition and directed his counsel, Attorney Patricia Sommer, to serve him a copy of his entire record within seven days of the date of the order. Attorney Sommer was directed to advise the court, in writing, within 14 days of the date of the order of her compliance with that mandate. The order held the no-merit petition for review in abeyance until further order of the court.

On February 22, 2021, the court received a letter from Attorney Sommer, dated February 18, 2021, stating that she had been unable to obtain the transcript for the July 10, 2015 preliminary hearing in Mr. Greer's Rock County circuit court case, case no. 2015CF1190. The court is informed that the transcript of the preliminary hearing was not in the appellate record.

On March 2, 2021, Attorney Sommer filed a motion requesting this court issue an order to compel court reporter Debra Nelson to prepare and serve Mr. Greer with a transcript of the July 10, 2015 preliminary hearing. As grounds for this motion, Attorney Sommer restates the actions she has taken to contact Ms. Nelson to request the transcript, states that she still has not obtained the missing transcript, and states that Mr. Greer needs the transcript for his supplemental petition.

On March 16, 2021, this court issued an order holding Attorney Sommer's motion in abeyance pending further order of the court and ordered Mr. Greer to file his supplemental petition on or before April 30, 2021.

On April 16, 2021, Mr. Greer filed a motion to hold the proceedings in abeyance until the missing transcript could be found and filed with the court.

IT IS ORDERED that Mr. Greer's motion is denied;

IT IS FURTHER ORDERED that Mr. Greer's supplemental petition must be filed on or before April 30, 2021. The court will continue to hold Attorney Sommer's motion to compel in abeyance until it has had opportunity to review Mr. Greer's supplemental petition.

Sheila T. Reiff
Clerk of Supreme Court