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June 9, 2021

To:

Hon. Joseph G. Sciascia
Circuit Court Judge
Dodge County Justice Facility
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You are hereby notified that the Court, by its Clerk and Commissioners, has entered the following order:

No. 2018AP2277-CRNM State v. Jannke L.C. #2016CF216

The court having considered the motion for reconsideration of the dismissal of the petition for review filed by defendant-appellant, Terence L. Jannke, pro se;

IT IS ORDERED that the motion is denied. The court of appeals issued its decision on March 11, 2021. Pursuant to Wis. Stat. § 808.10 and § 809.62, because no timely motion for reconsideration was filed in the court of appeals, the defendant-appellant's petition for review was due within 30 days after the date of the court of appeals' decision. As the thirtieth day after the court of appeals' decision was Saturday, April 10, 2021, the petition for review had to be filed no later than Monday, April 12, 2021. Even acknowledging that the deadline for an incarcerated petitioner's petition for review is tolled when the petitioner places a properly addressed petition for review into the prison mail system, Mr. Jannke did not sign his petition for review until April 14, 2021. It therefore could not have been placed into the prison mail system on April 12, 2021. Accordingly, the petition for review was properly dismissed as untimely.

Sheila T. Reiff
Clerk of Supreme Court