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Supreme Court of Wisconsin

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June 30, 2021

To:

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

No. 2019AP2419 Schiller v. Gurman L.C.#2015FA788

On March 25, 2021, the court of appeals issued its decision in this matter. The clerk of courts office has confirmed that this decision was physically mailed to all parties.

Joint-petitioner-appellant Victoria Schiller moved the court of appeals to reconsider its March 25, 2021 decision, but the court denied the motion as untimely. See Orders of May 7 and 18, 2021.

On May 24, 2021, Ms. Schiller filed a petition for review in this matter. By order of May 26, 2021, this court dismissed the petition as untimely.

On June 7, 2021, Ms. Schiller filed a document titled "Petition for Supervisory writ and original jurisdiction to issue prerogative writ pursuant to s. 809.51." The court construes this document as a motion for reconsideration of this court's May 26, 2021 order dismissing Ms. Schiller's petition for review as untimely.

IT IS ORDERED that the motion is denied. Ms. Schiller claims that the 30-day deadline for filing a petition for review should not have started to run until the date the court of appeals' decision was uploaded into the Wisconsin Supreme Court and Court of Appeals Case Access system. This claim is incorrect. The 30-day deadline for filing a petition for review begins to run on the date of the court of appeals' decision—here, March 25, 2021. Wis. Stat. § 808.10(1). Because Ms. Schiller did not timely move the court of appeals to reconsider that decision, the deadline for filing the petition for review in this court was not tolled under Wis. Stat. § 808.10(2) and expired 30 days after the court of appeals' March 25, 2021 decision, well before Ms. Schiller filed her petition for review on May 24, 2021.

IT IS FURTHER ORDERED that the clerk of court shall return to Ms. Schiller, with her copy of this order, the filing fee check that she submitted with her "Petition for Supervisory writ and original jurisdiction to issue prerogative writ pursuant to s. 809.51."

Sheila T. Reiff
Clerk of Supreme Court