

State of Wisconsin

State Supreme Court

Case No. 2020AP1888-CRNM

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

MICHEAL J. TORRES,

Defendant-Appellant-Petitioner.

FILED**JUL 14 2021****CLERK OF SUPREME COURT
OF WISCONSIN**

MOTION FOR DEADLINE EXTENSION

NOW comes the Defendant, Micheal J. Torres, humbly requesting this Supreme Court to allow for a continuance of and extension of deadline pertaining to Appeal Case No. 2020AP1888-CRNM for the following reasons:

1. The Defendant had received a previous decision from the Court of Appeals in regards to postconviction relief for Case No. 17CF20 and the no-merit report filed by Attorney Philip Brehm.

2. In continuing to seek postconviction relief, the Defendant is appealing the Court of Appeals decision in regards to the no-merit report and was asked to file a statement in support of the petition filed by Attorney Brehm for review by March 23, 2021.

3. During the time between the Court of Appeals decision and the original deadline of March 23, 2021, Oshkosh Correctional Institution -- the state prison institution in which the Defendant is currently serving his incarceration -- was under both a full lockdown and a modified lockdown, impeding the Defendant's access to the Courts to obtain relevant and supportive precedence that would impact the Defendant's statement in support of the aforementioned petition.

4. The Supreme Court had allowed the Defendant an extension until July 20, 2021 because of the COVID-19 pandemic and its impact on the institution for the Defendant-Petitioner to furnish a statement in regards to the petition.

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5. As part of performing due diligence, the Defendant utilized the available and scheduled periods of law library access to research relevant and supportive precedence that would be factored in to the Defendant's statement in regards to the petition filed by Attorney Brehm.

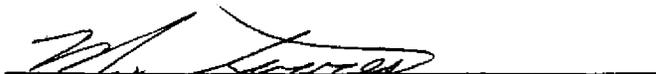
6. Due to decreased positive cases of COVID-19, staff and inmate vaccinations, and other factors as deemed pertinent to institution security, portions of the modified lockdown have been rescinded, including limited access to the library by inmates on each unit.

7. Due to these operational changes, as well as personal scheduling of staff, the Defendant's library opportunities have severely diminished, resulting in an approximate 40-minute window to perform research, file print requests, and take pertinent notes. These new modifications, while welcome, have hampered the Defendant's opportunity to compile a proper statement.

FOR these reasons above, the Defendant-Petitioner hereby humbly requests the Court grant an additional deadline extension not to exceed sixty (60) days in which the Defendant Petitioner must complete and submit a prepared statement supporting the petition filed by Attorney Brehm for review.

I greatly appreciate the Court taking the time to consider this motion, as well as thank the Court in regards of its future decision.

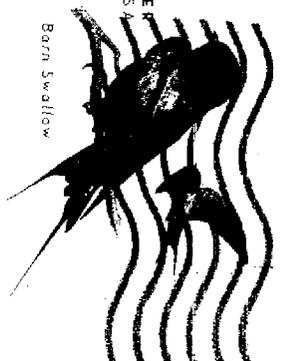
Respectfully Submitted,



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