

STATE OF WISCONSIN

FILED

SUPREME COURT

JUL 20 2021

Case No. 2019AP000221-CR

**CLERK OF SUPREME COURT
OF WISCONSIN**

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

NHIA LEE,

Defendant-Appellant-Petitioner.

**STATE PUBLIC DEFENDER'S MOTION FOR
LEAVE TO FILE A NON-PARTY BRIEF**

KELLI S. THOMPSON
State Public Defender
State Bar No. 1025437

KATIE R. YORK
Appellate Division Director
State Bar No. 1066231

Office of the State Public
Defender
Post Office Box 7862
Madison, WI 53707-7862
(608) 266-7125
yorkk@opd.wi.gov

Attorneys for the Office of the
State Public Defender

Pursuant to Wis. Stat. § 809.19(7), the State Public Defender moves the Wisconsin Supreme Court for leave to file a non-party brief in this case. The grounds for this motion are:

1. This case involves the Office of the State Public Defender's (SPD) challenge in finding counsel to represent Mr. Lee for over 100 days. The SPD is an independent, executive branch agency and law office that provides legal representation to the indigent in criminal cases throughout Wisconsin. The SPD's mission is to provide high-quality, compassionate and cost-effective legal representation, to protect the rights of the accused, and to advocate for effective defender services and a fair and rational criminal justice system. SPD staff attorneys represent indigent criminal defendants, but the SPD is also responsible for appointing private bar attorneys for the same purpose.

2. In the court of appeals, the SPD filed an amicus brief at the court's request. At this stage, the SPD would also be able to provide the court with information about the SPD, the appointment process, challenges in finding counsel, and efforts the SPD is making to ensure circuit courts are kept updated about the appointment process.

3. This case has not yet been scheduled for oral argument. Due to work in other cases and administrative responsibilities at the SPD, the undersigned counsel requests until August 20, 2021, to file the proposed non-party brief.

For the reasons stated above, the State Public Defender respectfully requests that the Supreme Court grant this motion.

Dated and filed this 20th day of July, 2021.


KATIE R. YORK
Appellate Division Director
State Bar No. 1066231

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Post Office Box 7862
Madison, WI 53707-7862
(608) 266-7125
yorkk@opd.wi.gov

Attorney for the State Public Defender

cc: Mr. Timothy M. Barber
Assistant Attorney General
P.O. Box 7857
Madison, WI 53707-7857

Ms. Julianne M. Lennon
Attorney at Law
1215 Belknap Street
Superior, WI 54880