



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

August 13, 2021

To:

Hon. Stephanie Rothstein
Circuit Court Judge
Criminal Justice Facility
949 N. 9th St.
Milwaukee, WI 53233

John Barrett
Clerk of Circuit Court
Room 114
821 W. State Street
Milwaukee, WI 53233

John D. Flynn
Milwaukee County District Attorneys Office
821 W State St Rm 405
Milwaukee, WI 53233-1427

John J. Grau
Grau Law Office
P.O. Box 54
Waukesha, WI 53187-0054

Kara Lynn Janson
Assistant Attorney General
P.O. Box 7857
Madison, WI 53707-7857

You are hereby notified that the Court has entered the following order:

No. 2018AP942-CR State v. Spencer L.C.#2014CF5088

A petition for review pursuant to Wis. Stat. § 808.10 having been filed on behalf of defendant-appellant-petitioner, Robert Daris Spencer, and a cross petition for review having been filed on behalf of plaintiff-respondent-cross-petitioner, State of Wisconsin, and both petitions having been considered by this court;

IT IS ORDERED that the petition and cross petition are granted and that pursuant to Wis. Stat. § (Rule) 809.62(6), the parties may not raise or argue issues not set forth in the petition for review or the cross petition for review unless ordered by the court; and

Page 2

August 13, 2021

No. 2018AP942-CR

State v. Spencer L.C.#2014CF5088

IT IS FURTHER ORDERED that pursuant to Wis. Stat. §§ (Rules) 809.62(6) and 809.63, that the briefs of both defendant-appellant-petitioner and plaintiff-respondent-cross-petitioner are due within 30 days following the date of this order; briefs of each party responding to the brief of the other party are due within 20 days following service of the initial brief on the party responding; and reply briefs or statements that no reply brief will be filed are due within 10 days following service of the responding brief on the party replying; and

IT IS FURTHER ORDERED that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and

IT IS FURTHER ORDERED that the first briefs filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and

IT IS FURTHER ORDERED that, if a party has not previously filed an electronic copy of the briefs filed on behalf of that party in the court of appeals, the party, within 30 days after the date of this order, must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; but if the party has already filed an electronic copy of such briefs, then there is no obligation to provide additional copies of those briefs to the clerk of this court; and

IT IS FURTHER ORDERED that the allowance of costs, if any, in connection with the granting of the petitions will abide the decision of this court on review.

Sheila T. Reiff
Clerk of Supreme Court