



OFFICE OF THE CLERK

Supreme Court of Wisconsin

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September 16, 2021

To:

Hon. Ellen K. Berz
Circuit Court Judge
Dane County Courthouse, Br. 11
215 S. Hamilton St., Rm. 5103
Madison, WI 53703

Petitioner

Bryant Ray
Zerbst & Kluck, S.C.
2000 Engel St., Ste 101
Madison, WI 53713

Carlo Esqueda
Clerk of Circuit Court
Dane County Courthouse
215 S. Hamilton St., Rm. 1000
Madison, WI 53703

Ralph Wade

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

No. 2020AP1913

Petitioner v. Wade, L.C. #2020CV2129

On January 11, 2021, the court of appeals dismissed this appeal due to the petitioner-appellant's failure to pay the filing fee for the appeal. The record in this matter was remitted to the circuit court on February 16, 2021, and the appeal was closed.

On August 26, 2021, the petitioner-appellant filed a number of documents in this court that could be construed as either a petition to bypass the court of appeals or as a petition for review. Regardless of how the documents are construed, they are untimely. A petition for bypass cannot be filed after the court of appeals has dismissed an appeal. See Wis. Stat. § (Rule) 809.60 (petition for bypass must be filed no later than 14 days after the filing of the respondent's brief or response). A petition for review must be filed within 30 days after the court of appeals' final decision disposing of the appeal, Wis. Stat. § 808.10, and that deadline cannot be extended. First Wisconsin National Bank of Madison v. Nicholaou, 87 Wis. 2d 360, 274 N.W.2d 704 (1979). Accordingly,

IT IS ORDERED the petition to bypass/petition for review is dismissed as untimely.

Sheila T. Reiff
Clerk of Supreme Court