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Supreme Court of Wisconsin

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September 17, 2021

To:

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

No. 2019AP1046-CR State v. Ruffin L.C.# 2015CF5306

Petitions for review pursuant to Wis. Stat. §§ 808.10 having been filed on behalf of defendant-appellant-petitioner, Theophilous Ruffin, and plaintiff-respondent-petitioner, State of Wisconsin, and the court having considered both;

IT IS ORDERED that the petition for review filed on behalf of defendant-appellant-petitioner, Theophilous Ruffin, is denied;

IT IS FURTHER ORDERED that the petition for review filed by plaintiff-respondent-petitioner, State of Wisconsin, is granted; that pursuant to Wis. Stat. §§ (Rules) 809.62(6) and 809.63, within 30 days after the date of this order plaintiff-respondent-petitioner must file a brief

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in this court; that within 20 days of filing, defendant-appellant, Theophilous Ruffin, must file either a responsive brief or a statement that no brief will be filed; and that if a brief is filed by defendant-appellant, within 10 days of filing plaintiff-respondent-petitioner must file either a reply brief or a statement that no reply brief will be filed; and

IT IS FURTHER ORDERED that pursuant to Wis. Stat. § 809.62(6), the parties may only raise or argue issues set forth in the State's petition for review unless otherwise ordered by the court; and

IT IS FURTHER ORDERED that the first brief 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 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, 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 petition will abide the decision of this court on review.

Sheila T. Reiff
Clerk of Supreme Court