

STATE OF WISCONSIN
IN SUPREME COURT

FILED
SEP 23 2021
CLERK OF SUPREME COURT
OF WISCONSIN

Case No. 2018AP2005-CR

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

GARLAND DEAN BARNES,

Defendant-Appellant-Petitioner.

STATE'S MOTION FOR ENLARGEMENT OF TIME

The Petitioner-Respondent, State of Wisconsin, by undersigned counsel, hereby moves this Court pursuant to Wis. Stat. § (Rule) 809.82(2) for an order enlarging by 30 days the time for filing the State's response to the Defendant-Appellant-Petitioner's petition for review. The State's response is currently due September 28, 2021. This extension request would make the State's response due Thursday, October 28, 2021. I offer the following grounds in support of this motion:

1. I have been the State's attorney of record on this case since I was first assigned on September 20, 2021.

2. This is my first motion for enlargement of time of the briefing schedule in this matter.

3. The Assistant Attorney General originally assigned to this appeal has left the department for other employment. Since I was initially appointed to this case only two days ago, I have endeavored to familiarize myself with the record and begin the State's response to Barnes's petition for review. Unfortunately, I have not yet had the opportunity to finish drafting the State's response, which must also undergo administrative approval and a finalization process before I may file it.

4. Since my assignment in this case, I have remained tasked with handling other matters, including (1) drafting a response brief in *State v. Michael S. Booth*, Case Nos. 2021AP408-CR-2021AP411-CR (Wis. Ct. App.), due on first extension September 20, 2021; (2) drafting a reply brief in *State v. Frederick W. Young*, Case No. 2021AP901-CR (Wis. Ct. App.), due on September 23, 2021; (3) drafting a response to a petition for review in *State v. Jeffrey L. Moeser*,

Case No. 2019AP2184-CR (Wis. S. Ct.), due on first extension September 27, 2021; (4) drafting a response to a petition for review in *State v. Jason J. Schifelbine*, Case No. 2020AP209-CR (Wis. S. Ct.), due on first extension September 30, 2021; (5) preparing for oral argument in *State v. Carl Lee McAdory*, Case No. 2020AP2001-CR (Wis. Ct. App.), currently scheduled for October 6, 2021; (6) drafting a response brief in *State v. Junior L. Williams-Holmes*, Case No. 2021AP809-CR (Wis. Ct. App.), due on second extension October 7, 2021; and (7) drafting a response brief in *State v. Romaine J. Reed*, Case No. 2021AP127 (Wis. Ct. App.), due on first extension October 8, 2021.

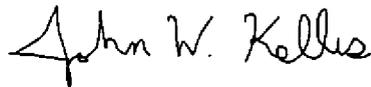
5. Given the foregoing, the proposed enlargement of time reflects my best estimate of the time reasonably necessary for filing the State's response. If possible, I will file the response before the requested due date.

For these reasons, the State asks this Court for an order setting Thursday, October 28, 2021, as the due date for filing its response to Barnes's petition for review.

Dated this 23rd day of September 2021.

Respectfully submitted,

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