



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

April 9, 2020

To:

Hon. Nicholas J. Brazeau Jr.
Circuit Court Judge
400 Market St., P.O. Box 8095
Wisconsin Rapids, WI 54494

Cindy Joosten
Clerk of Circuit Court
Wood County Courthouse
P.O. Box 8095
Wisconsin Rapids, WI 54494

Winn S. Collins
Assistant Attorney General
P.O. Box 7857
Madison, WI 53707-7857

Frederick B. Melms
405 S. Sycamore Avenue
Marshfield, WI 54449

Nathan T. Oswald
Wood County DA Office
P.O. Box 8095
400 Market Street
Wisconsin Rapids, WI 54495-8095

Criminal Appeals Unit
Department of Justice
P.O. Box 7857
Madison, WI 53707-7857

You are hereby notified that the Court, by its Clerk and Commissioners, has entered the following order:

No. 2020XX475-CR

State v. Wirkuty L.C.# 2020CF102

The court has reviewed the "Emergency Request For Modifications Relating To COVID-19 Pandemic" filed on behalf of defendant, Justin P. Wirkuty, by his lawyer, Attorney Frederick B. Melms. The court requires additional information before it can review this request. As an initial matter, the court notes that Mr. Wirkuty appears to attempt to invoke this court's recently established procedure for modifications of rules and/or procedures due to the COVID-19 pandemic—even though, by its terms, this procedure does not apply to filings in pending cases. It is also unclear from the filing whether Mr. Wirkuty intends to invoke the emergency exception to this court's March 22, 2020 order continuing jury trials due to the COVID-19 pandemic—and if so, on what basis. Finally, to the extent Mr. Wirkuty seeks habeas corpus and/or mandamus relief, the filing does not appear to fully comply with the requirements of Wis. Stat. chs. 782 and 783, and does not address the matter of filing fees or the possible waiver thereof. See Wis. Stat. §§ 809.25(2), 814.29.

Page 2

April 9, 2020

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In light of the above,

IT IS ORDERED that within seven calendar days of the date of this order, Mr. Wirkuty shall clarify, in writing, the types of relief he is requesting, the legal basis for that relief, the parties from whom he seeks such relief, the legal basis by which he invokes this court's jurisdiction, and the manner in which he intends to address the amount of filing fees owed, if any.

Sheila T. Reiff
Clerk of Supreme Court