



## OFFICE OF THE CLERK

**Supreme Court of Wisconsin**

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April 5, 2022

**To:**

Hon. Vincent R. Biskupic  
Circuit Court Judge  
320 S. Walnut Street  
Appleton, WI 54911

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

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Nos. 2022AP221-W  
2020AP1519-CR

Willie G. Allison v. Gary Boughton  
State v. Willie G. Allison L.C.#2017CF890

On January 27, 2022, Attorney James A. Rebholz, counsel for defendant-appellant, Willie G. Allison, electronically filed a no-merit petition for review of a court of appeals' decision dated December 29, 2021. However, paper copies of the petition for review were not received by the clerk of this court until February 1, 2022. The last day for a timely filed petition for review was

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April 5, 2022

Nos. 2022AP221-W

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Willie G. Allison v. Gary Boughton

State v. Willie G. Allison L.C.#2017CF890

January 28, 2022. On February 1, 2022, this court issued an order dismissing the no-merit petition for review as untimely. On February 11, 2022, State Public Defender Regional Attorney Manager Joseph N. Ehmann filed a petition for writ of habeas corpus on behalf of Mr. Allison. The petition states that Attorney Rebholz acknowledged that he electronically filed the no-merit petition for review on January 27, 2022, and left instructions for his office staff to file the paper copies the next day. However, a miscommunication occurred and the paper copies were not filed until February 1, 2022.

IT IS ORDERED that the relief requested in the habeas petition, that the no-merit petition for review filed in the above matter be reinstated and deemed timely-filed, is granted. See State ex rel. Nichols v. Litscher, 2001 WI 119, 247 Wis. 2d 1013, 635 N.W.2d 292; State ex rel. Schmelzer v. Murphy, 201 Wis. 2d 246, 548 N.W.2d 45 (1996); and

IT IS FURTHER ORDERED that pursuant to Wis. Stat. §§ 809.32(4) and 809.62, Willie G. Allison may file a supplemental petition with the clerk of this court by May 6, 2022. The supplemental petition shall state reasons in support of the review and satisfy the requirements of §§ 809.62(2)(a), (b), (c), and (e). If no supplemental petition is filed within the prescribed time, this matter will be submitted to the court for appropriate action; and

IT IS FURTHER ORDERED that the petitioner-respondent, State of Wisconsin, shall file its response to the no-merit petition for review and any supplemental petition on or before May 20, 2022. The parties will thereafter be notified in due course of this court's disposition of the no-merit petition for review.

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Sheila T. Reiff  
Clerk of Supreme Court