



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

September 8, 2022

To:

Hon. Martin J. DeVries
Circuit Court Judge
Dodge County Justice Facility
210 W. Center Street
Juneau, WI 53039

Lynn M. Hron
Clerk of Circuit Court
Dodge County Justice Facility
210 W. Center Street
Juneau, WI 53039

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

Hon. Randy R. Koschnick
Director of State Courts
P.O. Box 1688
Madison, WI 53701-1688

John L. Dye Jr. 207379
Fox Lake Correctional Inst.
P.O. Box 200
Fox Lake, WI 53933-0200

Waupun Correctional Institution
Business Office
P.O. Box 351
Waupun, WI 53963-0351

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

No. 2022AP499-W

Dye v. DeVries L.C.#2022IP13

Petitioner, John L. Dye, Jr., has filed a motion to reinstate his "previously submitted" petition for review. In its June 23, 2022 order, this court construed Mr. Dye's June 17, 2022 filing to be a timely but nonconforming petition for review of the court of appeals' May 17, 2022 decision dismissing his petition for supervisory writ. On July 26, 2022, two statements in support of the petition for review (respectively labeled "Petitioned Structured 'Statement'" and "Statement in Support of Petition") were received from and filed by Mr. Dye. Because the court of appeals had reinstated his petition for supervisory writ in the interim, this court dismissed Mr. Dye's June 17, 2022 petition for review by order dated July 28, 2022. On August 9, 2022, the court of appeals issued an order denying on the merits Mr. Dye's reinstated petition for supervisory writ. Mr. Dye's current motion, which was filed on August 18, 2022, requests that the June 17, 2022 dismissed

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petition and the July 26, 2022 statements in support be reinstated as his petition for review of the court of appeals' decision of August 9, 2022. Accordingly,

IT IS ORDERED that the petitioner's motion to reinstate the dismissed petition for review is denied. The prior petition was addressed to a different order of the court of appeals and cannot simply be "reinstated" with respect to a new order from the court of appeals; and,

IT IS FURTHER ORDERED that the petitioner's August 18, 2022 motion itself shall be deemed to be a timely new petition for review of the court of appeals' August 9, 2022 decision. Further, pursuant to the petitioner's request, the court will deem the statements in support filed by Mr. Dye on July 26, 2022, to be the statement in support of his new petition for review. Consequently, no further filings regarding the petition for review are required from the petitioner; and

IT IS FURTHER ORDERED that the respondent, Hon. Martin J. DeVries, may file a response to the petition for review on or before September 22, 2022.

Sheila T. Reiff
Clerk of Supreme Court