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Supreme Court of Wisconsin

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November 17, 2022

To:

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

No. 2022AP627-W

Newson v. Court of Appeals, District I
L.C.#s 2020CV4744 & 2020SC16973

On April 18, 2022, petitioner Rafael Deshawn Newson filed a writ petition titled "Emergency Writ of Mandamus and Prohibition and Stay." The petition was dismissed by court order dated April 26, 2022, because the petitioner requested to commence the matter without paying the required filing fee, but failed to file a trust account statement with his indigency forms.

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No. 2022AP627-W

Newson v. Court of Appeals, District I
L.C.#s 2020CV4744 & 2020SC16973

On September 14, 2022, the petitioner filed a motion requesting the court issue an order directing prison officials to pay the filing fee for Mr. Newson's petition for writ of mandamus from his inmate release account. The court reviewed Mr. Newson's motion and prior petition and determined that, for the purposes of this action, Mr. Newson is not a prisoner, and therefore Wis. Stat. § 814.29(1) applies. Further review of Mr. Newson's indigency filings indicate that waiver of the filing fee is appropriate. Therefore,

IT IS ORDERED that petitioner Rafael Deshawn Newson's motion regarding payment of the filing fee is denied. The court finds that Mr. Newson is indigent and waives the filing fee in this matter; and,

IT IS FURTHER ORDERED that the court's April 26, 2022 order dismissing petitioner Rafael Deshawn Newson's petition for writ of mandamus is vacated. The petition is reinstated as of the date of this order and will be considered by the court in due course.

Sheila T. Reiff
Clerk of Supreme Court