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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

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CLERK OF WISCONSIN

SUPREME COURT

May 10, 2023

To:

Wisconsin Court of Appeals – District 1
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Circuit Court Judge
Electronic Notice

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Hon. Michelle Ackerman Havas
Circuit Court Judge
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Clerk of Circuit Court
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You are hereby notified that the Court has entered the following order:

No. 2020AP1728-CR State v. Percy Antione Robinson, L.C. #2017CF5864

This case involves claims of ineffective assistance of counsel and is before the court on certification by the court of appeals, pursuant to Wis. Stat. § (Rule) 809.61. The court of appeals certified the following question for our review: “Whether the CR-215 procedure triggers the attachment of the Sixth Amendment right to counsel, which would then entitle an accused person to have the right to counsel for any subsequent ‘critical stage’ of the legal proceedings.”

The parties briefed this matter and presented it at oral argument, which was held on November 8, 2022. On April 25, 2023, the Seventh Circuit issued its decision in Garcia v. Hepp, ---F.4th---, 2023 WL 3071456 (7th Cir. 2023).

IT IS ORDERED that the May 18, 2022 order granting certification is vacated and the case is remanded to the court of appeals.

Sheila T. Reiff
Clerk of Supreme Court