

STATE OF WISCONSIN

IN SUPREME COURT

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST ROGER G.
MERRY, ATTORNEY AT LAW.

CASE CODE 30912

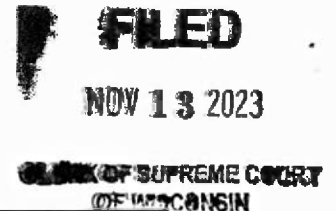
OFFICE OF LAWYER REGULATION,

CASE NO. 2022AP35-D

Complainant;

ROGER G. MERRY,

Respondent.



**ORDER TO COMPLY WITH SCHEDULING ORDERS
TO FILE DOCUMENTS IN THE SUPREME COURT**

The above captioned matter is before the undersigned for the preparation of a report and recommendations to the Court following the hearing on the complaint on file herein held on April 20, 2023, and May 18, 2023. OLR has appeared by Assistant Litigation Counsel Thomas J. Laitsch. Respondent has appeared in person, *pro se*. Based upon the entire file herein,

IT IS HEREBY ORDERED determined and decreed as follows:

1. Two separate scheduling orders have been entered in this matter, the first entered with the Court on May 12, 2022, and the second entered on February 28, 2023.
2. Both scheduling orders contained the following provisions: *The parties are reminded of the need to file all original pleadings, motions, and memoranda, etc., and correspondence with the clerk of the Supreme Court, with*

copies to the referee and the opposing party. Copies of all such filings are to be provided to the opposing party and the referee by electronic means followed by paper copies via the USPS or commercial delivery service.

3. Both scheduling orders were provided to counsel, the second of which was emailed to them on February 21, 2023.

4. Upon review of a Record Index provided to the undersigned and current through November 6, 2023, the respondent has failed to file both his Respondent's Post-Trial Brief dated June 23, 2023, and his Respondent's Brief on the Effect of Dismissal of Count 3 dated September 11, 2023. The absence of these documents in the record was confirmed by the clerk's office this date.

5. Respondent shall forthwith comply with the scheduling orders as specified above. If such compliance is not achieved on or before November 13, 2023, the undersigned will order one or more sanctions, including but not limited to disregarding the arguments set forth in the unfiled briefs.

Dated this 7th day of November, 2023.


Edward E. Leineweber, Referee