



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

FILED
12-07-2023
CLERK OF WISCONSIN
SUPREME COURT

December 7, 2023

To:

Hon. W. Andrew Voigt
Circuit Court Judge
Electronic Notice

Julie Kayartz
Clerk of Circuit Court
Columbia County Courthouse
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

Brent Fluke
Mike Durfee State Prison
1412 Wood St.
Springfield, SD 57062

Stanley J. Maday Jr.
Mike Durfee State Prison
1412 Wood Street
Springfield, SD 57062

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

No. 2023AP1523-W Maday v. Carr, L.C.#2011CF442

On November 13, 2023, this court issued an order dismissing a pro se habeas petition filed by Stanley J. Maday, Jr. In this order, the court noted that the argument raised by Mr. Maday in his habeas petition appears to be the same argument he has raised in his ongoing appeal of a July 7, 2023 circuit court order denying his motion for postconviction relief under Wis. Stat. § 974.06, see State v. Maday, 2023AP1303, thus making habeas relief unavailable. See State v. Pozo, 2002 WI App 279, ¶ 8, 258 Wis. 2d 796, 654 N.W.2d 12 (habeas relief is not a substitute for appeal). On December 4, 2023, Mr. Maday filed a motion to reconsider this court's November 13, 2023 order, claiming "there is no law or precedent which states that Petitioner cannot litigate the two actions at the same time even though they may be related by similar circumstances."

IT IS ORDERED that the motion is denied. See State ex rel. Haas v. McReynolds, 2002 WI 43, ¶ 12, 252 Wis. 2d 133, 643 N.W.2d 771 (person seeking habeas relief must show that there is no other adequate remedy available in the law); State v. Escalona-Naranjo, 185 Wis. 2d 168, 176, 517 N.W.2d 157 (1994) ("[T]he postconviction motion procedure under sec. 974.06 was 'designed to replace habeas corpus as the primary method in which a defendant can attack his conviction after the time for appeal has expired.'" (citation omitted); Wis. Stat. § 974.06(8).

Samuel A. Christensen
Clerk of Supreme Court