



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
12-18-2023
CLERK OF WISCONSIN
SUPREME COURT

December 18, 2023

To:

Hon. Stephanie Rothstein
Circuit Court Judge
Electronic Notice

Christopher D. Sobic
Electronic Notice

Anna Hodges
Clerk of Circuit Court
Milwaukee County Safety Building
Electronic Notice

Varick C. Choice
Stanley Correctional Institution
100 Corrections Drive
Stanley, WI 54768

Michael C. Sanders
Electronic Notice

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

No. 2022AP1148-CR State v. Choice, L.C.#2018CF1618

On November 16, 2023, defendant-appellant-petitioner, Varick C. Choice, through his appointed counsel, Attorney Christopher D. Sobic, filed a petition to review the court of appeals' October 17, 2023 decision affirming Mr. Choice's judgment of conviction. On December 12, 2023, the State filed a response to the petition for review. On December 15, 2023, Mr. Choice filed a pro se document in which he states that he wishes to discharge Attorney Sobic. The court hereby construes this filing by Mr. Choice as a motion to proceed pro se.

We will afford Mr. Choice one final opportunity to consider his options, and to file a response in this court clarifying whether he wants to continue with Attorney Sobic as his appointed counsel and to stand on the petition for review that Attorney Sobic has filed, or to discharge Attorney Sobic and proceed pro se. If Mr. Choice indicates that he desires to discharge Attorney Sobic and proceed pro se, we will conclude that he has waived his right to counsel. Mr. Choice is cautioned that as a pro se litigant, he will be solely responsible for complying with the rules of appellate procedure and timely filing all required documents. His obligations will include filing a supplemental petition satisfying the requirements of Wis. Stat. § 809.62 (2) (a), (b), (c), and (e) by

Page 2

December 18, 2023

No. 2022AP1148-CR State v. Choice, L.C.#2018CF1618

January 18, 2024. The supplemental petition must not exceed 35 pages if a monospaced font or handwriting is used, or 8,000 words if a proportional serif font is used. The supplemental petition must be coherent and must set forth arguments supported by references to the record on appeal and legal authority. Failure to timely file a supplemental petition in compliance with these requirements may result in dismissal of the petition for review. Mr. Choice is further cautioned that if he discharges Attorney Sobic and subsequently decides that pro se representation was ill advised, there is no guarantee that new counsel will be appointed should Mr. Choice subsequently seek representation. The foregoing is not intended to be an all-inclusive discussion of the difficulties and disadvantages of self-representation.

Based on the foregoing,

IT IS ORDERED that the document filed on December 15, 2023 by Mr. Choice is construed as a motion to proceed pro se; and

IT IS FURTHER ORDERED that by January 2, 2024, Mr. Choice shall inform this court as to whether he wishes to discharge Attorney Sobic and proceed pro se. If Mr. Choice does not respond and clearly express his desire to discharge Attorney Sobic, or if his response leaves a doubt as to his understanding of the consequences of doing so, we will deny his motion to proceed pro se, Attorney Sobic shall continue as appointed appellate counsel for Mr. Choice, and the case will proceed on the November 16, 2023 petition for review filed by Attorney Sobic and the December 15, 2023 response to that petition filed by the State. If Mr. Choice indicates that he wishes to discharge Attorney Sobic and proceed pro se, Mr. Choice must file a supplemental petition, conforming to the requirements stated above, by January 18, 2024.

Samuel A. Christensen
Clerk of Supreme Court