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Supreme Court of Wisconsin

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FILED
03-29-2024
CLERK OF WISCONSIN
SUPREME COURT

March 29, 2024

To:

Hon. Marc A. Hammer
Circuit Court Judge
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

John VanderLeest
Clerk of Circuit Court
Brown County Courthouse
Electronic Notice

Terrance Richard Mineau 131055
Green Bay Correctional Inst.
P.O. Box 19033
Green Bay, WI 54307-9033

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

No. 2023AP706-W Mineau v. Cir. Ct. of Brown Cnty.,
L.C.#s 2022CF1560 & 2023CF623

On February 13, 2024, the court of appeals issued its final decision in this matter. A petition for review conforming to the requirements of Wis. Stat. § 808.10 and § (Rule) 809.62 must be filed in this court within 30 days of the court of appeals' adverse decision. See Wis. Stat. § 808.10. Consequently, the deadline for filing a petition for review in this matter was Thursday, March 14, 2024. Id.

On March 27, 2024, petitioner-petitioner, Terrance Richard Mineau, pro se, submitted a document dated March 11, 2024, entitled "Petition for Writ of Habeas Corpus to Supreme Court." In the document, Mr. Mineau appears to be challenging the court of appeals' February 13, 2024 decision. He represents that he was unable to file a petition for review of the court of appeals' February 13, 2024 decision by the 30-day deadline due to a delay in him receiving the decision. The court notes that the time period for filing a petition for review is tolled when an incarcerated person places the petition into the prison mail system. See State ex rel. Nichols v. Litscher, 2001 WI 119, 247 Wis. 2d 1013, 635 N.W.2d 292. In this instance, Mr. Mineau's document indicates that it was placed into the prison mail system before the 30-day deadline to file a petition for review had expired. Accordingly,

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No. 2023AP706-W

Mineau v. Cir. Ct. of Brown Cnty.,
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IT IS ORDERED that the March 27, 2024 document shall be construed as a petition for review of the February 13, 2024 court of appeals' decision; and

IT IS FURTHER ORDERED that Mr. Mineau shall have until April 29, 2024, to file either a supplement to the petition or a statement that no supplement will be filed. If the supplemental petition is not filed by April 29, 2024, this matter will be disposed of based solely on the document filed in this matter to date; and

IT IS FURTHER ORDERED that respondent, Circuit Court of Brown County, shall have until 14 days after the filing of the supplemental petition or statement, to file a response. In the event no supplemental petition or statement is filed, respondent shall have until May 13, 2024, to file its response to the March 27, 2024 petition for review.

Samuel A. Christensen
Clerk of Supreme Court