

OFFICE OF THE CLERK

Supreme Court of Wisconsin

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October 10, 2018

To:

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

No. 2018AP40

Crawford v. Aurora Sinai Medical Center L.C.#2017SC10

On September 24, 2018, plaintiff-appellant, Greta Crawford, filed a petition to review the court of appeals' decision of July 31, 2018, which the court of appeals declined to reconsider by order of August 21, 2018. On September 24, 2018, this court dismissed the petition for review as untimely.

On October 9, 2018, plaintiff-appellant filed a "Motion to Reopen," which this court has construed as a motion for reconsideration of the court's September 24, 2018 order.

IT IS ORDERED that the motion for reconsideration is denied. Except for certain situations involving incarcerated individuals, petitions for review must be physically filed with the clerk of the supreme court within 30 days of the date of the court of appeals' decision or within 30 days of the court of appeals' decision on a timely-filed motion for reconsideration. See Wis. Stat. § 808.10 and § (Rule) 809.80. In this instance, the deadline for the clerk of this court to receive the petition for review was September 20, 2018. The 30-day period for filing a petition for review cannot be extended, and if a petition for review is not filed within 30 days of the date of the court of appeals' decision, this court lacks subject matter jurisdiction over the case

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and the petition must be dismissed. See First Wis. Nat'l Bank of Madison v. Nicholaou, 87 Wis. 2d 360, 274 N.W.2d 704 (1979). The provisions of § 801.15(5), which provide that three days may be added to the prescribed filing period in certain instances (e.g., when the time period runs from the service of a document) do not apply to the filing of petitions for review. "Section 808.10 does not provide a time limit which runs from the date of service or receipt of the court of appeals' opinion. Rather, the time limit runs from the date of the opinion." Id. at 365.

Sheila T. Reiff
Clerk of Supreme Court