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05-02-2025

CLERK OF WISCONSIN

SUPREME COURT

May 2, 2025

To:

Hon. Michael O. Bohren
Circuit Court Judge
Electronic Notice

Stephanie M. Rock
Electronic Notice

Monica Paz
Clerk of Circuit Court
Waukesha County Courthouse
Electronic Notice

Michael P. Van Kleunen
Electronic Notice

Shawn M. Office
8201B Scheffler Rd
Newton, WI 53063

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

No. 2024AP227

City of Delafield v. Office, L.C. #2022CV266

On April 14, 2025, pro se petitioner, Shawn M. Office, filed a document this court construed as a motion for reconsideration of the court's prior dismissal of his untimely petition for review. The court denied Mr. Office's motion for reconsideration on April 15, 2025, pursuant to Gunderson v. State, 106 Wis. 2d 611, 615, 318 N.W.2d 779 (1982). On May 1, 2025, Mr. Office filed a "Motion for Reconsideration and Request for Equitable Relief," requesting this court to reconsider its April 15, 2025 order and consider his petition for review timely filed based on equitable tolling principles.

The failure to timely file a petition for review within the 30 days prescribed by WIS. STAT. § 808.10(1) deprives this court of jurisdiction over the matter, such that the deadline cannot be extended. First Wisconsin Nat. Bank of Madison v. Nicholaou, 87 Wis. 2d 360, 362-365, 274 N.W.2d 704 (1979). While the court has applied equitable tolling to petitions for review filed by pro se prisoners due to the vagaries of the prison mailing system, State ex rel. Nichols v. Litscher, 2001 WI 119, ¶¶23-24, 247 Wis. 2d 1013, 635 N.W.2d 292, Mr. Office is not incarcerated. Therefore,

IT IS ORDERED that the motion is denied.

Samuel A. Christensen
Clerk of Supreme Court