



## 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](http://www.wicourts.gov)

September 16, 2004

**To:**

Hon. Randy R. Koschnick  
Jefferson County Circuit Court  
320 S. Main Street  
Jefferson, WI 53549

Kenneth Schopen  
Jefferson County Clerk of Courts  
320 S. Main Street  
Jefferson, WI 53549

William L. Gansner  
Assistant Attorney General  
P.O. Box 7857  
Madison, WI 53707-7857

Robert G. LeBell  
Kostich, LeBell, Dobroski & Morgan LLP  
735 W. Wisconsin Avenue, Suite 800  
Milwaukee, WI 53233-2413

Michael G. Schaefer  
Jefferson County Asst. Dist. Atty.  
320 South Main Street  
Jefferson, WI 53549

You are hereby notified that the Court has entered the following order:

---

No. 00-2590-CR

State v. Knapp L.C. #99CF363

On June 30, 2004 the United States Supreme Court granted a petition for writ of certiorari filed by the State of Wisconsin; vacated this court's decision in State v. Knapp, 2003 WI 121, 265 Wis. 2d 278, 666 N.W.2d 881; and remanded this case to this court for further consideration in light of United States v. Patane, 542 U.S. \_\_\_\_ (June 28, 2004).

IT IS ORDERED that the parties shall submit briefs addressing the effect of Patane in this case, including any possible alternate grounds for suppressing the sweatshirt that were not reached in this court's first opinion (see Knapp, paragraphs 4, 5, 196 and 197 and also paragraphs 2, 45, 63 and 77-79 concerning whether Knapp was, or should now be, based on the Wisconsin Constitution). The State shall within 30 days of the date of this order serve and file its brief. Matthew J. Knapp shall within 20 days thereafter serve and file his brief. The State shall within 10 days thereafter serve its reply brief or a statement that no such brief will be filed. The briefing shall comply with the requirements of sec. (Rule) 809.19. The parties will be notified in due course of the date and time for oral argument.

---

Cornelia G. Clark  
Clerk of Supreme Court