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Supreme Court of Wisconsin

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CLERK OF WISCONSIN

SUPREME COURT

July 8, 2025

To:

Hon. Martha J. Milanowski
Circuit Court Judge
Electronic Notice

Penny Carter
Clerk of Circuit Court
Forest County Courthouse
Electronic Notice

Trisha LeFabre
Clerk of Circuit Court
Oconto County Courthouse
301 Washington Ave.
Oconto, WI 54153

Brad Hansen
Oconto County Public Defender Office
101 N. Ogden Rd., Ste. C
Peshtigo, WI 54157-1708

Breanna Hansen
Forest County Public Defender Office
158 S. Anderson St., Ste 1
Rhineland, WI 54501

John Blimling
Electronic Notice

Darin Vaughn Kaquatosh
Oconto County Jail
301 Washington Street
Oconto, WI 54153

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

No. 2025AP1350-OA Kaquatosh v. State, L.C.#2023CF89

On June 20, 2025, pro se petitioner Darin Vaughn Kaquatosh filed a document in this court titled "Original Jurisdiction Procedure in Supreme Court." The cover letter to that document indicates that the filing relates to Forest County Case No. 23CF89. The clerk of this court docketed this filing as a petition for leave to commence an original action pursuant to Wis. Stat. § (Rule) 809.70, with reference to Forest County Case No. 23CF89. However, the caption of the document titled "Original Jurisdiction Procedure in Supreme Court" references "Oconto County Case No. 25CF76," and in the body of said document, Mr. Kaquatosh indicates that he is seeking "a writ of Mandamus dismissing with prejudice Case 25CF76 as I feel personal jurisdiction is lost."

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The court notes that circuit court docket entries indicate that Mr. Kaquatosh is being represented by Attorney Brad Hansen in the referenced Oconto County circuit court proceedings (Case No. 25CF76) and by Attorney Breanna Magallones in the referenced Forest County Circuit Court proceedings (Case No. 23CF89).

On June 20, 2025, the clerk of this court issued an order indicating that the filing fee for the petition had not been paid pursuant to Wis. Stat. § (Rule) 809.25(2) and that the matter would be dismissed pursuant to Wis. Stat. § (Rule) 809.83 if Mr. Kaquatosh did not pay the filing fee or file a fee waiver petition, which the clerk forwarded along with the order, within ten days.

On July 3, 2025, Mr. Kaquatosh responded to the clerk's June 20, 2025 order, indicating that he was "confused as to what exactly is being dismissed." In that document, Mr. Kaquatosh further indicated that he "requested a Writ of Mandamus on Forest County Case 23CF89 dismissing it as evidence was destroyed." Mr. Kaquatosh further requested a waiver of filing fees and attached a printout of his prison trust account.

IT IS ORDERED that Mr. Kaquatosh is directed to file within 20 days of the date of this order, a statement clarifying: (1) the nature of the document he intended to file in this court, that is, a petition to commence an original action or a petition for writ of mandamus; and (2) the circuit court action to which it relates, that is, Forest County Case No. 23CF89 or Oconto County Case No. 25CF76;

IT IS FURTHER ORDERED that Mr. Kaquatosh shall, within 20 days of the date of this order, either submit the required \$195.00 filing fee or file a formal fee waiver petition with supporting documentation;

IT IS FURTHER ORDERED that failure to comply with the above two requirements will result in the dismissal of this proceeding;

IT IS FURTHER ORDERED that a copy of this order shall be transmitted to Attorney Brad Hansen and Attorney Breanna Magallones; and

IT IS FURTHER ORDERED that a copy of this order shall be transmitted to the Clerk of the Forest County Circuit Court with reference to Forest County Case No. 23CF89 and to the Clerk of the Oconto County Circuit Court with reference to Oconto County Case No. 25CF76.

Samuel A. Christensen
Clerk of Supreme Court