WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

Telephone: (608) 266-1880
Email: clerk@wicourts.gov
Web Site: www.wicourts.gov
Wisconsin Supreme Court Case Access: http://wscca.wicourts.gov

TABLE OF PENDING CASES

The following table describes pending cases the Supreme Court has accepted on petition for review, bypass, certification, and original jurisdiction.

The cases included for the first time (that is, the most recently accepted cases) are marked with an asterisk (*) next to the case number. After the Supreme Court decides a case, the date of oral argument or date of submission on briefs will be replaced with the date of the Supreme Court decision and an abbreviated mandate. That mandate will generally be displayed in the table for two months, after which the case will be removed.

The information in the table, from left to right, is as follows:

- Case No.: Case number this includes hyperlinks to online case access;
- Case Caption: the abbreviated caption of the case (case name);
- Issue(s): a summary of the issues, with hyperlinks to relevant statutes and cases where applicable;
- SC Accepted: the date the Supreme Court accepted the case including how the case reached the Supreme Court. Abbreviations used are:

  BYPA = Petition to bypass CERT = Certification
  ORIG = Original Action REVW = Petition for review

- Oral Arg./Brief Subm. Date: the date of oral argument or submission on briefs; or the date of the Supreme Court decision along with an abbreviated mandate;
- CA Dist./Cty Information: the Court of Appeals district from which the case came, if applicable, as well as the county of origin;
- CA Decision: the date of the Court of Appeals decision, if applicable;
- Decision Publication Status: Indication of whether the Court of Appeals decision is published or unpublished. If published, citations to the public domain and the official reports are provided, along with hyperlinks where available.

The issues presented in this table are intended to be concise and do not aim to provide a comprehensive or detailed description of the specific case. Readers who want to understand the specifics of these issues should refer to the records and briefs filed with the Supreme Court.

The following table covers cases accepted and decisions issued through **October 15, 2026.** Please direct any comments regarding this table to the Clerk of Supreme Court via email to Clerk@WICourts.gov.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2023AP1371-CR	State v. Angela R. Joski Are statutory early-release mechanisms, including sentence adjustment under WIS. STAT. § 973.195 and the earned release program under WIS. STAT. § 302.05, available to individuals sentenced to a mandatory minimum term of initial confinement under WIS. STAT. § 346.65(2)(am)6?	08/19/2026 REVW 12/08/2026	2 Walworth	10/29/2025 Pub. 2025 WI App 67
2023AP1432	Children's Hospital of Wisconsin, Inc. v. City of Wauwatosa Does WIS. STAT. § 70.11(4m), which exempts from taxation nonprofit hospitals such as the children's hospital CHW operates, and the "readying rule," which allows for incomplete additions to such hospitals to be exempt from taxation if they are "being readied for use," exempt the incomplete North Tower from taxation?	04/22/2026 REVW Oral Arg.: 10/06/2026	1 Milwaukee	06/10/2025 Pub. 2025 WI App 43
2023AP1478	Midwest Environmental Advocates, Inc. v. Frederick Prehn What constitutes "prevailing in whole or in substantial part" under WIS. STAT. § 19.37(2)(a) when an authority produces records after litigation commences but before final judgment?	09-11-2026 REVW	4 Dane	09/24/2025 Pub. 2025 WI App 55
2023AP1549	Bank of America NA v. The Estate of Richard P. Nelson Whether the federal priority statute's deceased-debtor provision, 31 U.S.C. § 3713(a)(1)(B), gives the United States priority over only "the estate of a deceased debtor, in the custody of the executor or administrator," or instead may also apply to a foreclosure surplus in the custody of a court official.	05/20/2026 REVW Oral Arg.: 10/08/2026	2 Waukesha	09/17/2025 Pub. 2025 WI App 61

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2023AP1709	Appvion, Inc. Retirement Savings and Employee Stock Ownership Plan v. PricewaterhouseCoopers LLP Is it reasonably foreseeable that the sole shareholder of an audited corporation will rely on unqualified audit opinion letters addressed to the shareholder, giving rise to claims for misrepresentation and professional negligence?	08/18/2026 REVW 12/08/2026	3 Outagamie	01/27/2026 Unpub.
2023AP1717	Distinguished Multiplying Buildings (D.M.B.), LLC v. Germantown Mutual Insurance Company Whether the ordinance or law exclusion in Germantown Mutual Insurance Company's policy of insurance issued to Distinguished Multiplying Buildings (D.M.B.), LLC excludes coverage for Distinguished Multiplying Buildings (D.M.B.), LLC's constructive total loss of its building when the municipality ordered the building razed following a significant fire?	04/22/2026 REVW Oral Arg.: 09/23/2026	3 Eau Claire	04/22/2025 Unpub.
2023AP2192-CR	State v. Daniel J. Rejholec Whether an allocution statement made by the defendant prior to the court pronouncing sentence is admissible at a subsequent trial after the defendant withdraws his plea. Whether introduction of a defendant's allocution statement in a subsequent trial after his plea is withdrawn to correct a manifest injustice violates due process.	05/20/2026 REVW Oral Arg.: 11/10/2026	2 Sheboygan	05/28/2025 Pub. 2025 WI App 36

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2023AP2428	Buddy's Plant Plus Corporation v. Viking Masek Global Packaging Technologies, LLC Was the limitation of liabilities provision masked within the warranty clause in the contract between Buddy's and Viking unconscionable and did it fail of its essential purpose, entitling Buddy's to damages under the UCC? Did Buddy's prove its consequential damages to a reasonable degree of certainty?	04/22/2026 REVW Oral Arg.: 09/08/2026	2 Sheboygan	07/30/2025 Pub. 2025 WI App 46
2024AP117	Mark Santner v. Anthony Matson Does delivery of an unwitnessed will to an individual's intended donee constitute delivery to establish gift causa mortis?	06/16/2026 REVW Oral Arg.: 11/05/2026	2 Waukesha	07/23/2025 Unpub.
2024AP178	Wildwood Estate, LLC v. Village of Summit Whether the Village of Summit properly used its police powers (rather than zoning regulation) when it exercised its reserved right under WIS. STAT. § 66.1014 to create Ordinance 71-2019 to regulate short-term rentals of fewer than seven days.	05/20/2026 REVW Oral Arg.: 10/08/2026	2 Waukesha	07/09/2025 Pub. 2025 WI App 47

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2024AP197	Continental Properties Company, Inc. v. Hiscox Insurance Company, Inc. In the context of a standard employee theft policy, covering loss "resulting directly from theft… committed by an Employee," what is the appropriate rule for determining whether the loss is one "resulting directly from" the employee's theft? In the context of a standard employee theft policy, does an insured employer suffer a "loss" when it pays on contracts tainted by a secret kickback arrangement and there was evidence such contract payments were excessive and used to fund those kickbacks? Assuming the answer to Issue Two is yes, is the insurer entitled to apply restitutionary amounts recovered by the insured employer from the employee to defeat coverage for such loss, or must such amounts first make the insured "whole" for the entirety of the insured's loss under the terms of the policy and *Rimes v. State Farm Mut. Auto Ins. Co.*, 106 Wis. 2d 263, 316 N.W.2d 348 (1982) before the insurer can assert any subrogation-based set-off right?	08/18/2026 REVW	2 Waukesha	12/17/2025 Unpub.
2024AP472	S. G. v. Wisconsin Department of Children and Families Is Corporation Counsel a party as a statutory right pursuant to WIS. STAT. § 48.09(5) in actions arising under § 48.13 when Corporation Counsel is not the petitioner? Is Corporation Counsel a party representing the interest of the public pursuant to Wis. Stats. § 48.09(5) when the County Department of Human Services is court ordered to provide services and funding in privately-filed petitions under § 48.13?	03/12/2026 REVW Oral Arg.: 09/15/2026	4 Waupaca	04/03/2025 Pub. 2025 WI App 32

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2024AP577	Friends of Blue Mound State Park v. Wisconsin Department of Natural Resources WIS. STAT. § 227.42 grants parties a right to a contested case hearing before an administrative agency, even when one is not otherwise provided by law. Subsection (3) of § 227.42 is a limited exception to that right "where hearings at the discretion of the agency are expressly authorized by law." The question is whether a "hearing[] at the discretion of the agency" refers to a contested case hearing or something substantially similar (consistent with legislative intent and statutory language)—or (as the Court of Appeals held for the first time) any hearing at all, regardless of its form or procedural safeguards. Did the Friends satisfy the criteria for a contested case hearing enumerated in WIS. STAT. § 227.42(1)(a)–(d)?	04/22/2026 REVW Oral Arg.: 10/13/2026 Justice on Wheels	1 Iowa	09/23/2025 Pub. 2025 WI App 63
2024AP581-CR	State v. Jonathan James Petersen Whether—and to what extent—a circuit court at sentencing can regulate a defendant's First Amendment activity as a condition of extended supervision.	05/20/2026 REVW Oral Arg.: 09/23/2026	2 Kenosha	11/19/2025 Pub. 2025 WI App 74

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2024AP673	Sierra Club v. Wisconsin Department of Natural Resources As part of its role in issuing air-pollution control permits, DNR has developed an internal guidance memorandum about how best to determine the impact that a proposed facility's emissions will have on air quality. This guidance memo instructs DNR staff to use data collected from statewide and regional air-quality monitors and data extrapolated from those monitors. The memo does not independently impose any mandatory requirements and instead implements the air-permitting procedures codified in statute and in state and federal administrative rules. The memo expressly states that it "does not establish or affect legal rights or obligations," "does not create any rights enforceable by any party in litigation," and that it "is not finally determinative of any . . . issues addressed," which will instead be determined in the final permitting decision. Does this memo have the "force of law" such that it needed to undergo formal, notice-and-comment rulemaking?	02/12/2026 REVW Oral Arg.: 09/15/2026	4 Dane	05/15/2025 Pub. 2025 WI App 39

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2024AP777-CR	State v. John R. Phelan Did the court of appeals misinterpret WIS. STAT. § 29.921(5) in a manner that incorrectly circumscribes the Legislature's grant of additional arrest authority to trained and certified wardens? Did the court of appeals incorrectly interpret WIS. STAT.. § 29.921(5)'s authorization for wardens to "arrest a person who has committed a crime in the presence of the warden" as applying only when a "warden has personally witnessed—based on any combination of the warden's contemporaneous sensory perceptions, but based only on those contemporaneous perceptions—facts that objectively support probable cause to believe that the person has committed a crime, and not merely a civil law violation, in the warden's presence"? Did the court of appeals misinterpret WIS. STAT.. § 29.921(5) when it read the phrase "A warden may not conduct investigations . . . of state law" so broadly as to prohibit a warden who validly arrests a person from performing tasks attendant to an arrest, such as picking up and securing evidence? Did the court of appeals misinterpret WIS. STAT. § 29.921(5) so as to prohibit a warden who is assisting another law enforcement agency at the other agency's request from doing anything to actually assist such as taking photos, or collecting or securing evidence? Did the court of appeals incorrectly conclude that the remedy for a violation of WIS. STAT. § 29.921(5) by improperly conducting an investigation is suppression even though Phelan's constitutional rights were not violated, WIS. STAT. § 29.921(5) says nothing about suppression for conducting an investigation, suppression is inconsistent with the statute's objectives, and the circuit court did not determine that suppression was warranted? Did the court of appeals properly vacate Phelan's convictions without determining whether the error it identified affected Phelan's substantial rights as WIS. STAT. § 805.18(2) requires?	04/22/2026 REVW Oral Arg.: 10/13/2026 Justice on Wheels	4 Columbia	09/15/2025 Pub. 2025 WI App 57

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2024AP1013	Abby Windows, LLC v. Labor & Industry Review Commission Should this Court revisit and modify the framework for statutory interpretation set out in State ex. rel. Kalal v. Circuit Court, under which the determination of whether a statutory term has a plain meaning or is ambiguous is limited to dictionary definitions and "intrinsic" sources, in favor of a broader, holistic approach that gives due consideration "to relevant extrinsic sources to interpret a statute's meaning, conscious … of those sources' limitations?" See SEIU Healthcare Wisconsin v. WERC, 2025 WI 29, ¶65, 416 Wis. 2d 688, 22 N.W.3d 876 (Dallet, J., concurring). Alternatively, did the Court of Appeals err in treating the statutory "public policy declaration" in Wis. Stat. § 108.01 as merely a rule of construction, rather than a textual statement of scope and purpose that under Kalal must be considered to determine the plain meaning of WIS. STAT. § 108.02(15)(k)16. in the first instance, with the result that the Court of Appeals incorrectly concluded that the statutory term "consumer products" was unambiguous? Whether the Court of Appeals erred in applying the statutory interpretation framework established by this Court in *State ex. rel. Kalal v. Cir. Ct. for Dane Cnty.*, 2004 WI 58, 271 Wis. 2d 633, 681 N.W.2d 110 by not giving due consideration to an applicable intrinsic source, the Unemployment Act's purpose statement under WIS. STAT. § 108.01(1), and the plain meaning of the law? Whether the Court of Appeals erred in its analysis of Wis. Stat. § 108.02(15)(k)16. by finding the statutory phrase "consumer products" unambiguous, and by doing so, did it err by resorting to multiple dictionary definitions to separately define each word and by disregarding relevant extrinsic sources?	06/16/2026 REVW Oral Arg.: 11/10/2026	2 Waukesha	07/23/2025 Pub. 2025 WI App 50

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2024AP1098	Somerset Condominium Association, Inc. v. RC Somerset, LLC When a liability insurance policy excludes coverage for claims arising out of facts "related" to an earlier reported "wrongful act" of the insured, and the insured engages in a series of allegedly "wrongful acts" over a period of multiple years aimed at preventing development of two real estate parcels, are the later acts "related" to the original reported claim such that the exclusion applies?	05/20/2026 REVW Oral Arg.: 11/17/2026	2 Walworth	09/18/2025 Pub. 2025 WI App 58
2024AP1175	Minority Business Association of Wisconsin v. Wisconsin Department of Agriculture, Trade, and Consumer Protection Under the Wisconsin and U.S. Constitutions, an administrative-search regime is constitutional only if it affords the target of the search an opportunity to obtain meaningful precompliance review of the search demand before a neutral decisionmaker. Has a party subject to administrative searches under such a regime set forth a justiciable claim under the Uniform Declaratory Judgments Act when, before it receives a search demand, it claims that the regime is unconstitutional precisely because it fails to provide meaningful precompliance review?	06/16/2026 REVW Oral Arg.: 11/17/2026	3 Waukesha	07/29/2025 Unpub.
2024AP1462	Creative Finance, Inc. v. Carlos Rangel Does WIS. STAT. § 425.308(1), which requires an award of attorney fees to a "customer [who] prevails in an action arising from a consumer transaction," additionally require the prevailing consumer to prove a specific WCA violation prior to being awarded attorney fees?	04/22/2025 REVW Oral Arg.: 11/05/2026	4 Dane	04/24/2025 Unpub.

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2024AP1635-CR	State v. Ayanna Chuntel Mcafee A police detective stopped Ms. McAfee's car. He searched the car based only on the "distinct and unmistakable odor of marijuana" he detected coming from within. At the hearing on Ms. McAfee's suppression motion, an expert testified that it is impossible to distinguish between the odor of illegal marijuana and the odor of CBD products that are now legal. The circuit court found this testimony credible and adopted it. Was the odor the detective observed the unmistakable odor of a controlled substance, such that it alone provided probable cause to search?	08/18/2026 REVW	2 Washington	10/08/2025 Unpub.
2024AP1638	Wisconsin Realtors Association, Inc., v. Polk County Whether the Wisconsin Realtors Association, Inc. (WRA) has associational standing to challenge certain county ordinances injurious to the alienability, marketability, and value of its members' real estate in the county on behalf of its members with personal standing to bring such challenges.	08/18/2026 REVW	3 Polk	03/25/2025 Pub. 2026 WI App 12
2024AP1850	Department on Aging v. J. J. Does the circuit court lack competency to enter an order continuing an individual's protective placement when the County failed to file a petition and report for annual review under WIS. STAT. § 55.18(1)(a) "no later than the first day of the 11th month" after the prior protective placement order?	10/14/2026 REVW	1 Milwaukee	02/10/2026 Pub. 2026 WI App 13

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2024AP1942-CR	State v. Emil L. Melssen Did the search warrant for Melssen's cellphone violate the Fourth Amendment because it was insufficiently particular and overbroad? Did the search warrant state probable cause of drug-related activity?	08/21/2026 REVW 12/15/2026	4 LaFayette	11/20/2025 Pub. 2025 WI App 76
2024AP2177-CR	State v. Desmond J. Wilhite Does every facial constitutional challenge to a statute always implicate a court's subject matter jurisdiction such that an appellant can never forfeit a facial constitutional challenge by failing to preserve it in the circuit court? Did Wilhite's noncompliance with WIS. STAT. § 971.17(7m)(a)'s requirements for preserving issues for appellate review deprive the court of appeals of competency to decide his facial constitutional challenge? Did Wilhite comply with requirements under the Uniform Declaratory Judgments Act (UDJA), WIS. STAT. § 806.04(11), that he serve notice of his facial challenge to a § 971.17(3)(e)'s constitutionality on the Attorney General and Legislature? Did Wilhite prove beyond a reasonable doubt that § 971.17(3)(e) was facially unconstitutional because it authorized the circuit court to revoke his conditional release based on his violation of the conditions and rules of release without finding dangerousness?	08/18/2026 REVW Oral Arg.: 11/19/2026	4 Dane	09/25/2026 Pub. 2025 WI App 64

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2024AP2291-CR	State v. Brian Tyrone Ricketts, Jr. Under Wisconsin law, some persons charged with crimes of domestic abuse are eligible for an enhanced sentence when, among other factors, they have been "convicted on 2 or more separate occasions of a felony or a misdemeanor" for which a domestic abuse surcharge under WIS. STAT. § 973.055(1) applies. Although the "separate occasions" language appears throughout the statutes, this Court has not relied on a uniform definition of that phrase; instead, the Court has reached diametrically opposed holdings depending on where in the code the language appears. Is Mr. Ricketts correct that, for the domestic abuse repeater to apply, his qualifying convictions needed to stem from separate incidents?	08/18/2026 REVW Oral Arg.: 11/19/2026	5 Brown	01/28/2026 Pub. 2026 WI App 4
2024AP2368-CR	State v. Samuel R. Osornio Did Osornio prove that trial counsel's failure to request the lesser-included offense instruction before the jury began deliberating created a reasonable probability of a different result at his trial?	05/20/2026 REVW Oral Arg.: 10/06/2026	4 Columbia	07/18/2025 Pub. 2025 WI App 53
2024AP2484	Democratic National Committee v. Heather Boehm Do state courts have the authority to grant election participants' requests to extend polling hours to avoid infringing on Wisconsinites' right to vote? Did the Republican National Committee ("RNC") timely challenge the Circuit Court's order extending polling hours?	09/28/2026 REVW	2 Walworth	07/29/2026 Pub. 2026 WI App 44

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2024AP2585-CR	State v. Noah Q. Mann-Tate WIS. STAT. § 970.032(2), Wisconsin's "reverse waiver" procedure for sending a case that originates in criminal court to the juvenile court, provides all of the hallmarks of "fundamental fairness" in criminal procedure required under the Constitution. It provides a juvenile with notice, a hearing with the benefit of counsel, enumerated criteria guiding the circuit court's discretionary decision whether to waive the juvenile into juvenile court, and a reasoned decision on the merits. Is WIS. STAT. § 970.032(2), facially unconstitutional under the Procedural Due Process Clause of the Fourteenth Amendment because it does not also mandate that the circuit court consider and discuss the "attributes of youth" discussed in dicta in United States Supreme Court decisions about what punishments are categorically barred for juveniles by the Eighth Amendment and whether they are in custody for purposes of *Miranda*?	05/20/2026 REVW Oral Arg.: 09/08/2026	1 Milwaukee	02/03/2026 Pub. 2026 WI App 17
2025AP315-CRAC	State v. Shane M. Helmbrecht Must defense attorneys seek permission to violate their duty of confidentiality to secure a competency evaluation for their client? Does a criminal defendant need to be competent to assist their attorney from an appeal of an order related to their competency to proceed to trial? Did the circuit court properly deny appellate counsel's motion for a postdisposition competency evaluation?	10/14/2026 REVW	3 Eau Claire	01/13/2026 Unpub.

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2026AP1008	Wisconsin Business Leaders for Democracy v. Wisconsin Elections Commission The circuit court held that anti-competitive gerrymandering claims like Plaintiffs' "are functionally equivalent to partisan gerrymandering claims" for purposes of assessing justiciability under the political question doctrine. Did the circuit court err by holding that anti-competitive gerrymandering claims are functionally the same as partisan gerrymandering claims? The circuit court concluded that this Court has "effectively foreclosed [all constitutional challenges to Wisconsin's congressional map] by holding that Article IV contains 'the exclusive repository of state constitutional limits on redistricting.'" Did the circuit court err by holding that all state constitutional limits on redistricting are contained within Article IV of Wisconsin's Constitution? Because the circuit court concluded that this Court's precedent holds "that claims of the sort Plaintiffs allege are not actionable under Wisconsin law" and that the circuit court "ha[d] no authority to modify or overrule that precedent", it did not independently assess whether anti-competitive gerrymandering violates Wisconsin's Constitution. Is anti-competitive gerrymandering a cognizable claim under the Wisconsin Constitution? The circuit court did not consider potential objections to recognizing anti-competitive gerrymandering such as the independent state legislature theory, preclusion, and laches. Are there any procedural or other obstacles to recognizing a claim of anti-competitive gerrymandering here?	05/29/2026 Direct Appeal Oral Arg.: 09/16/2026	-- Dane	--

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.

WISCONSIN SUPREME COURT
OFFICE OF THE CLERK

TABLE OF PENDING CASES

Case No.	Caption/Issue(s)	SC Accepted/ Oral Arg. or Brief Subm.	CA Dist./ Cty.	CA Decision
2026AP1168	Elizabeth Bothfeld v. Wisconsin Elections Commission Whether Wisconsin's congressional map, which this Court adopted based on the now-repudiated "least-change" criterion that required it to violate its duty to exercise neutral and independent judgment, violates the Wisconsin Constitution's separation of powers. The trial court held that only the Wisconsin Supreme Court can review its own adopted map. Whether the Wisconsin Constitution permits the systematic sorting of voters into congressional districts based on their political affiliation, to the advantage of one political party over another. The trial court held that it was foreclosed from adjudicating such claims by this Court's precedent, even though the Court recently described the propriety of partisan gerrymandering as an "important and unresolved legal question" under Wisconsin law.	06/11/2026 Direct Appeal Oral Arg.: 09/16/2026	-- Dane	--
2026AP1818-CQ	Michelle Cortez Gomez v. Kohl's Corporation Under WIS. STAT. § 100.20(5) of the Wisconsin Unfair Trade Practices Act, what pecuniary loss, if any, does a plaintiff suffer when she purchases a product falsely advertised as on sale in violation of § 124 of the Wisconsin Department of Agriculture, Trade and Consumer Protection regulations?	08/06/2026 Certified Question	--	--

NOTE: The issues outlined here are meant to be concise and do not provide a detailed overview of the specific matters in each case. Readers seeking specific case details are encouraged to refer to the records and briefs filed with the Supreme Court.