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Wisconsin Supreme Court accepts four cases at February 12 conference

Madison, Wisconsin (March 17, 2025) – The Wisconsin Supreme Court recently voted to accept four cases, and the Court acted to deny review in a number of other cases at its February 12, 2025 conference. The case numbers, counties of origin and the issues presented in granted cases are listed below. More information about pending appellate cases can be found on the Wisconsin Supreme Court and Court of Appeals Access [website](#). Published Court of Appeals opinions can be found [here](#), and the status of pending Supreme Court cases can be found [here](#).

No. 2022AP182

[Koble Investments v. Marquardt](#)

Supreme Court case type: Petition for Review

Court of Appeals: District III

Circuit Court: Marathon County, Judge Lamont K. Jacobson. *Reversed*.

Long caption: Koble Investments, Plaintiff-Respondent-Petitioner, v. Elicia Marquardt, Defendant, v. James Miller, Intervenor-Appellant-Respondent

Issue(s) presented:

1. Do the provisions of Wis. Stat. § 427.204(1) apply to a landlord attempting to enforce a residential lease?
2. If a residential lease incorporates the provisions of Wis. Stat. § 704.05(3), does the lease violate Wis. Stat. § 704.44(10) and Wis. Admin. Code § ACTP 134.08(10) by failing to include the notice of domestic abuse protections required by Wis. Stat. § 704.14?
3. When a residential tenant does not prove that he or she suffered any pecuniary loss because of a violation of Wis. Stat. § 704.44 or Wis. Admin. Code § ACTP 134.08(1), are damages recoverable under Wis. Stat. § 100.20(5)?

4. Can an attorney, who has withdrawn from representing a residential tenant, directly pursue and recover his or her own attorney fees—including those incurred on appeal—under Wis. Stat. §§ 100.25(1) or 425.308(1) based upon a landlord’s alleged violation of Wisconsin landlord-tenant law?

No. 2023AP218-CR

State v. Adams

Supreme Court case type: Petition for Review

Court of Appeals: District I

Circuit Court: Milwaukee County, Judge Glenn H. Yamahiro. *Affirmed.*

Long caption: In the interest of Jayden Adams, a person under the age of 17: State of Wisconsin, Plaintiff-Respondent-Respondent, v. Jayden Adams, Defendant-Appellant-Petitioner.

Issues presented:

Issue(s) presented:

1. Was Jayden entitled to discovery before his preliminary hearing in order to protect his right to challenge the criminal court’s original jurisdiction? (*Granted.*)
2. Did the circuit court erroneously exercise its discretion when it denied Jayden’s motion to transfer jurisdiction to juvenile court? (*Denied.*)

No. 2023AP715-CR

State v. J.D.B.

Supreme Court case type: Petition for Review

Court of Appeals: District I

Circuit Court: Milwaukee County, Judge Milton L. Childs Sr. *Reversed.*

Long caption: State of Wisconsin, Plaintiff-Respondent-Petitioner, v. J.D.B., Defendant-Appellant-Respondent.

Issue(s) presented:

1. Did the State prove the Sell factors by clear and convincing evidence?
 2. Did the state prove the defendant incompetent to refuse treatment?
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Supreme Court case type: Petition for Review

Court of Appeals: District I

Circuit Court: Milwaukee County, Judge David C. Swanson. *Reversed.*

Long caption: State of Wisconsin, Plaintiff-Respondent-Petitioner, v. N.K.B., Defendant-Appellant-Respondent.

Issue(s) presented:

- Under Wisconsin’s Mental Health Act, “patients” have the right to refuse medication except under certain circumstances, including where they pose a danger to themselves or others at the institution charged with their care. Chapter 971.14 committees, like Chapter 980 committees, are “patients” within the meaning of the Act. This Court previously held that the Act authorized a Chapter 980 committing court to order involuntary medication to address a committee’s dangerousness at an institution. Does the Act also authorize a Chapter 971.14 committing court to order forced medication to address dangerousness at an institution?

Review denied: The Supreme Court denied review in the following cases. As the state’s law-developing court, the Supreme Court exercises its discretion to select for review only those cases that fit certain [statutory criteria](#) (see Wis. Stat. § 809.62). Except where indicated, these cases came to the Court via petition for review by the party who lost in the lower court:

Brown County

2022AP174

State v. Garrigan

Burnett County

2022AP1409-CR

State v. Fish

Columbia County

2023AP525-CR

State v. Knapp

Dane County

2023AP2221

Stubitsch v. Reeder

Douglas County

2022AP1718-CR

State v. Hill

Fond du Lac County

2022AP1118-CR

State v. Schultz

Green County

2023AP1402

Rauch v. McNaughton
[Justice R. Bradley and Justice Dallet dissent]

Jefferson County

2023AP1562

State v. Hole

Kenosha County

2022AP1694-CR

State v. Vanderpool

2023AP815-CR

State v. Thomas

2023AP1135

Deprinzio v. R & R Automotive LLC

La Crosse County

2023AP1539

Beckner v. Beckner

Milwaukee County

2021AP1489-CR	<u>State v. Worthy</u>
2022AP1571-CR	<u>State v. Yancey</u>
2022AP1765-CR 2022AP1766-CR	<u>State v. Yancey</u>
2022AP1820	<u>State v. Cannon</u>
2022AP1877	<u>Frankenmuth Mutual Insurance Company v. Midwest Stairs & Iron, Inc.</u> [Justice R. Bradley dissents]
2023AP71-CR	<u>State v. Sanders</u>
2023AP142-CR	<u>State v. Wood</u>
2023AP339-CR	<u>State v. Campbell</u>
2023AP373	<u>Carlson v. L.I.R.C.</u>
2023AP618-CR	<u>State v. Smiley</u>
2023AP1250-CR	<u>State v. Daniels</u>
2023AP1385-CR	<u>State v. Wilkins</u>
2023AP2140-CRNM	<u>State v. Coffee</u>
2024AP115-CR	<u>State v. Lake</u>
2024AP1955-W	<u>Winston v. Boughton</u>

2024AP2015-W Conley v. Karas
[Writ of Mandamus]

2024AP2235-W Bach v. Circuit Court for Milwaukee County
[Supervisory Writ]

2024AP2382-W Kidd v. State
[Writ of Habeas Corpus]

Outagamie County

2024AP2433-W Dunay v. Circuit Court of Outagamie County
[Supervisory Writ]

Ozaukee County

2022AP314-CR State v. Fouliard
2022AP315-CR

2024AP1665-CR State v. Leventhal

2024XX1701-CR State v. Bohn
2024XX1702-CR

2024AP2367-W Yang v. State
[Supervisory Writ]

2025AP34-W Leventhal v. Ozaukee County Circuit Court
[Writ of Prohibition]

Price County

2021AP1636-CR State v. Hoeft

Racine County

2023AP87

State v. Mengestu

Rock County

2023AP999-CR

State v. Moore

St. Croix County

2021AP1543

State v. Sharpe

2022AP307

2024AP2586-W

Huston v. State
[Writ of Habeas Corpus]

Vernon County

2023AP1685

Skolos v. L.I.R.C.

Washington County

2024AP1770-LV

Zoulek v. Zoulek Family LLC

Waukesha County

2022AP284

Greenwald Family Limited Partnership v. Village of Mukwonago

2022AP2214-CR

State v. Kane

2023AP1259 Estate of Stephen O'Bryan v. O'Bryan
[Justice R. Bradley dissents]

2024AP945-LV Baierl v. Baierl

2024AP1199 Baierl v. Baierl

2024AP2316-W Thomas v. Mlodzik
[Writ of Habeas Corpus]

Winnebago County

2024AP2370-W Kieler v. Circuit Court for Winnebago County
[Supervisory Writ]

Wood County

2023AP982-CR State v. Carter

2024AP1953-W Nieman v. Wilz