



Supreme Court of Wisconsin

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WISCONSIN SUPREME COURT MONTHLY STATISTICAL REPORT

JUNE 2022

This statistical report presents information about the case filings and dispositions of the Wisconsin Supreme Court during the month of June, 2022 and to date for the term that began on September 1, 2021.

Opinions Issued by the Court

The Supreme Court issued opinions resolving 20 cases in June. Information about these opinions, including the Court's dispositions and the names of the authoring justices, can be found on the attached table.

| | <u>June 2022</u> | <u>Term to Date</u> |
|---|------------------|---------------------|
| Total number of cases resolved by opinion | <u>20</u> | <u>63</u> |
| Attorney disciplinary cases | 2 | 12 |
| Judicial disciplinary cases..... | 0 | 0 |
| Bar Admissions | 0 | 0 |
| Civil cases | 13 | 35 |
| Criminal cases | 5 | 16 |

Petitions for Review

A total of 37 petitions for review were filed during the month. A petition for review asks the Supreme Court to review the decision of the Court of Appeals. The Supreme Court's jurisdiction is discretionary, meaning that review is granted in selected cases only. In June, the Supreme Court disposed of 61 petitions for review, of which 3 petitions were granted. The Supreme Court currently has 108 petitions for review pending.

| | <u>June 2022</u> | <u>Term to Date</u> |
|----------------------------------|------------------|---------------------|
| Petitions for Review filed | 37 | 462 |
| Civil cases | 18 | 199 |
| Criminal cases..... | 19 | 263 |

| | | |
|--|--------|----------|
| Petition for Review dispositions | 61 | 575 |
| Civil cases (petitions granted)..... | 19 (1) | 243 (29) |
| Criminal cases (petitions granted) | 42 (2) | 332 (20) |

Petitions for Bypass

In June, the Supreme Court received one petition for bypass and disposed of 3 petitions for bypass. In a petition for bypass, a party requests that the Supreme Court take jurisdiction of an appeal or other proceeding pending in the Court of Appeals. A matter appropriate for bypass is usually one which meets one or more of the criteria for review by the Supreme Court and one the Supreme Court concludes it will ultimately choose to consider regardless of how the Court of Appeals might decide the issues. A petition for bypass June also be granted where there is a clear need to hasten the ultimate appellate decision. The Supreme Court currently has one petition for bypass pending.

| | <u>June 2022</u> | <u>Term to Date</u> |
|--|------------------|---------------------|
| Petitions for Bypass filed | 1 | 10 |
| Civil cases | 1 | 9 |
| Criminal cases | 0 | 1 |
| | | |
| Petition for Bypass dispositions..... | 3 | 12 |
| Civil cases (petitions granted)..... | 3 (0) | 11 (5) |
| Criminal cases (petitions granted) | 0 (0) | 1 (0) |

Requests for Certification

During June 2022, the Supreme Court received no requests for certification and disposed of no requests for certification. In a request for certification, the Court of Appeals asks the Supreme Court to exercise its appellate jurisdiction before the Court of Appeals hears the matter. A request for certification is decided on the basis of the same criteria as a petition to bypass. The Supreme Court currently has no requests for certification pending.

| | <u>June 2022</u> | <u>Term to Date</u> |
|---|------------------|---------------------|
| Requests for Certification filed..... | 0 | <u>4</u> |
| Civil cases | 0 | 2 |
| Criminal cases | 0 | 2 |
| | | |
| Request for Certification dispositions..... | <u>0</u> | <u>5</u> |
| Civil cases (requests granted) | 0 (0) | 3 (2) |
| Criminal cases (requests granted) | 0 (0) | 1 (2) |

Regulatory Matters, Supervisory Writs, and Original Actions

During the month, a total of one matter within the regulatory jurisdiction of the Court (bar admission, lawyer discipline, and judicial discipline) were filed and no such case was reopened. The Supreme Court also received 6 petitions for supervisory writ, which asks the Supreme Court to order the Court of Appeals or a Circuit Court to take a certain action in a case. There were no original actions filed. An original action is a petition asking the Supreme Court to take jurisdiction over a particular matter. When an opinion is issued in these cases, the disposition is included in “Opinions Issued by the Court” above; otherwise, the case is disposed of by order and is included in the totals below. The Supreme Court currently has 92 regulatory matters and 15 petitions for supervisory writs pending.

| | <u>June 2022</u> | <u>Term to Date</u> |
|---|------------------|---------------------|
| <u>Filings</u> | | |
| Attorney discipline (including reopened cases)..... | 1 | 15 |
| Judicial discipline..... | 0 | 0 |
| Bar admission..... | 0 | 0 |
| Petitions for Supervisory Writ | 6 | 44 |
| Other (including Original Actions)..... | 0 | 4 |
| <u>Dispositions by Order</u> | | |
| Attorney discipline..... | 0 | 1 |
| Judicial discipline..... | 0 | 0 |
| Bar admission..... | 0 | 0 |
| Petitions for Supervisory Writ | 4 | 40 |
| Other (including Original Actions)..... | 1 | 4 |

**DECISIONS BY THE
WISCONSIN SUPREME COURT
OPINIONS ISSUED DURING JUNE 2022**

| <u>Docket No.</u> | <u>Title</u> | <u>Date</u> |
|------------------------------------|---|--------------------|
| #2021AP463 | <u>Colectivo Coffee Roasters, Inc. v. Society Insurance:</u> THE CIRCUIT COURT’S ORDER IS REVERSED, AND THE CAUSE REMANDED. DALLET, J., delivered the majority opinion for a unanimous Court. | 06/01/2022 |
| #2019AP1850-CR | <u>State v. Scott W. Forrett:</u> THE COURT OF APPEALS’ DECISION IS AFFIRMED AS MODIFIED, AND THE CAUSE IS REMANDED. DALLET, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, REBECCA GRASSL BRADLEY, and KAROFSKY, JJ., joined. HAGEDORN, J., filed a dissenting opinion, in which ZIEGLER, C.J., and ROGGENSACK, J., joined. | 06/03/2022 |
| #2020AP2081-AC & #2020AP2103-AC | <u>Wisconsin Manufacturers and Commerce v. Tony Evers:</u> THE DECISION OF THE COURT OF APPEALS IS AFFIRMED. DALLET, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, HAGEDORN, and KAROFSKY, JJ., joined. ZIEGLER, C.J., filed a dissenting opinion, in which ROGGENSACK, and REBECCA GRASSL BRADLEY, JJ., joined. | 06/07/2022 |

Office of Lawyer Regulation v. Matthew R. Meyer:

PER CURIAM.

IT IS ORDERED that the license of Matthew R. Meyer to practice law in Wisconsin is revoked, effective July 14, 2022. **IT IS FURTHER ORDERED** that as a condition of the reinstatement of his license to practice law in Wisconsin, Matthew R. Meyer shall be subject to the following conditions:

- 1. Provide proof of participation in mental health counseling.**
- 2. Provide the Office of Lawyer Regulation with signed releases for any mental health and AODA treatment provider who is or has been providing treatment to Matthew R. Meyer within the four years preceding any petition for reinstatement.**
- 3. Provide documentation of the completion of an anger management program.**
- 4. Provide documentation of the completion of a certified batterers' treatment program.**
- 5. Comply with all terms and conditions of his probation related to Milwaukee County Case No. 2019CF4573.**

IT IS FURTHER ORDERED that within 60 days of the date of this order, Matthew R. Meyer shall pay to the Office of Lawyer Regulation the full costs of this proceeding, which are \$1,891.81 as of November 17, 2021. **IT IS FURTHER ORDERED** that Matthew R. Meyer shall comply with the provisions of SCR 22.26 concerning the duties of a person whose license to practice law in Wisconsin has been revoked.

ZIEGLER, C. J. filed a concurring opinion, in which REBECCA GRASSL BRADLEY and HAGEDORN, JJ., joined. ANN WALSH BRADLEY, J. filed a dissenting opinion.

#2019AP6

Sheboygan County v. M. W.:
THE DECISION OF THE COURT OF APPEALS IS REVERSED.
ANN WALSH BRADLEY, J., delivered the majority opinion of the Court, in which DALLET, HAGEDORN, and KAROFISKY, JJ., joined. HAGEDORN, J., filed a concurring opinion. ZIEGLER, C.J., filed a dissenting opinion, in which ROGGENSACK and REBECCA GRASSL BRADLEY, JJ., joined.

06/10/2022

#2019AP2150-CR

State v. Valiant M. Green:
THE DECISION OF THE COURT OF APPEALS IS AFFIRMED.
HAGEDORN, J., delivered the majority opinion of the Court, in which ZIEGLER, C.J., ROGGENSACK, REBECCA GRASSL BRADLEY, DALLET, and KAROFISKY, JJ., joined. ANN WALSH BRADLEY, J., filed a dissenting opinion.

06/15/2022

#2019AP1876-CR

State v. Donald P. Coughlin:
THE DECISION OF THE COURT OF APPEALS IS REVERSED.
ANN WALSH BRADLEY, J., delivered the majority opinion of the Court, in which ZIEGLER, C.J., ROGGENSACK, REBECCA GRASSL BRADLEY, and HAGEDORN, JJ., joined. DALLET, J., filed a dissenting opinion.
KAROFISKY, J., did not participate.

06/21/2022

#2019AP1565-CR

State v. Ryan Hugh Mulhern:
THE DECISION OF THE COURT OF APPEALS IS REVERSED.
ROGGENSACK, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, DALLET, HAGEDORN, and KAROFISKY, JJ., joined. ZIEGLER, C.J., filed a concurring opinion, in which REBECCA GRASSL BRADLEY, J., joined.

06/21/2022

#2019AP2095

Great Lakes Excavating, Inc. v. Dollar Tree Stores, Inc.:

06/22/2022

THE DECISION OF THE COURT OF APPEALS IS REVERSED, AND THE CAUSE IS REMANDED TO THE CIRCUIT COURT FOR FURTHER PROCEEDINGS CONSISTENT WITH THIS OPINION.

REBECCA GRASSL BRADLEY, J., delivered the majority opinion of the Court, in which ZIEGLER, C.J., ROGGENSACK, HAGEDORN, AND KAROFKY, JJ., joined. DALLET, J., filed a dissenting opinion, in which ANN WALSH BRADLEY, J., joined.

#2019AP1007

Container Life Cycle Management, LLC v. DNR:

06/23/2022

THE DECISION OF THE COURT OF APPEALS IS AFFIRMED.

ANN WALSH BRADLEY, J., delivered the majority opinion of the Court, in which ROGGENSACK, DALLET, HAGEDORN, and KAROFKY, JJ., joined. REBECCA GRASSL BRADLEY, J., filed a dissenting opinion, in which ZIEGLER, C.J., joined.

#2020AP878-CR

State v. Avan Rondell Nimmer:

06/23/2022

THE DECISION OF THE COURT OF APPEALS IS REVERSED.

REBECCA GRASSL BRADLEY, J., delivered the majority opinion of the Court with respect to all parts except ¶¶28, 29 n.12, and 39–58, in which ZIEGLER, C.J., ROGGENSACK, and HAGEDORN, JJ., joined, and an opinion with respect to ¶¶28, 29 n.12, and 39–58, in which ZIEGLER, C.J., and ROGGENSACK, J., joined. DALLET, J., filed a concurring opinion, in which ANN WALSH BRADLEY and KAROFKY, JJ., joined. HAGEDORN, J., filed a concurring opinion.

#2019AP1033

Sauk County v. S. A. M.:
THE DECISION OF THE COURT OF APPEALS IS REVERSED.
KAROFSKY, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, HAGEDORN, and DALLET, JJ., joined. ZIEGLER, C.J., filed a concurring/dissenting opinion, in which ROGGENSACK and REBECCA GRASSL BRADLEY, JJ., joined.

06/23/2022

#2022AP645-D

Office of Lawyer Regulation v. Crystal L. Saltzwadel:
PER CURIAM.
IT IS ORDERED that the license of Crystal L. Saltzwadel to practice law in Wisconsin is suspended for 60-days, effective August 9, 2022. IT IS FURTHER ORDERED that Crystal L. Saltzwadel shall comply with the provisions of SCR 22.26 concerning the duties of a person whose license to practice law in Wisconsin has been suspended. IT IS FURTHER ORDERED that compliance with all conditions of this order is required for reinstatement. See SCR 22.28(2).

06/28/2022

#2021AP1673

Joshua L. Kaul v. Frederick Prehn:
THE JUDGMENT AND ORDER OF THE CIRCUIT COURT ARE AFFIRMED.
ZIEGLER, C.J., delivered the majority opinion of the Court, in which ROGGENSACK, REBECCA GRASSL BRADLEY, and HAGEDORN, JJ., joined. DALLET, J., filed a dissenting opinion in which ANN WALSH BRADLEY and KAROFSKY, JJ., joined.

06/29/2022

#2021AP419

State v. X.S.:

06/29/2022

THE DECISION OF THE COURT OF APPEALS IS MODIFIED AND AFFIRMED AND, AS MODIFIED, THE CAUSE REMANDED TO THE CIRCUIT COURT. ZIEGLER, C.J., delivered the majority opinion of the Court, in which ROGGENSACK, REBECCA GRASSL BRADLEY, and KAROFISKY, JJ., joined. ZIEGLER, C.J., filed a concurring opinion in which ROGGENSACK and REBECCA GRASSL BRADLEY, JJ. joined. HAGEDORN, J., filed a dissenting opinion, in which ANN WALSH BRADLEY and DALLET, JJ., joined.

#2019AP299 &
#2019AP534

Friends of the Black River Forest v. Wisconsin Department of Natural Resources:

06/30/2022

THE DECISION OF THE COURT OF APPEALS IS REVERSED. REBECCA GRASSL BRADLEY, J., delivered the majority opinion of the Court, in which ZIEGLER, C.J., ROGGENSACK, and HAGEDORN, JJ., joined. HAGEDORN, J., filed a concurring opinion. KAROFISKY, J., filed a dissenting opinion, in which ANN WALSH BRADLEY and DALLET, JJ., joined.

#2020AP485

Wisconsin Property Tax Consultants, Inc. v. Wisconsin Department of Revenue:

06/30/2022

REVERSED AND CAUSE REMANDED. HAGEDORN, J., delivered the majority opinion of the Court, in which ANN WALSH BRADLEY, DALLET, and KAROFISKY, JJ., joined. ZIEGLER, C.J., filed a concurring opinion. ROGGENSACK, J., filed a concurring opinion, in which REBECCA GRASSL BRADLEY, J., joined.