

FILED
04-04-2023
Clerk of Circuit Court
Calumet County
2022CM000213

STATE OF WISCONSIN	CIRCUIT COURT	CALUMET COUNTY
STATE OF WISCONSIN Plaintiff,	STATE'S BRIEF IN OPPOSITION TO THE DEFENDANT'S MOTION FOR A BILL OF PARTICULARS	
vs.		
JOHN C. ANDREWS Defendant.	Case No. 2022CM000213	

THE STATE OF WISCONSIN, by Nathan F. Haberman, District Attorney for Calumet County, hereby moves the Court for an Order Denying the Defendant's Motion for a Bill of Particulars as this is neither current motion practice and statutory authority for this has been eliminated.

The rules of practice in civil actions apply in criminal proceedings "unless the context of a section or rule manifestly requires a different construction." Section 972.11(1), Stats. Wisconsin civil procedure no longer provides for a bill of particulars. See Judicial Council Committee's Note, 1974, Wis. Stat. Ann. sec. 802.02 (West 1977). The defense has not cited any current motion practice or statutory authority for a bill of particulars. There is no basis for a bill of particulars since the 1970s in civil or criminal proceedings.

For these reasons, the defendant's motion must be denied as not support by law.

Respectfully Submitted,



Nathan F. Haberman
District Attorney

Date Signed: 04/04/23
Electronically Signed By:
Nathan F. Haberman
District Attorney
State Bar #: 1073960