



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215
P.O. Box 1688

MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880
TTY: (800) 947-3529
Facsimile (608) 267-0640
Web Site: www.wicourts.gov

DISTRICT II

December 28, 2018

To:

Hon. Angela W. Sutkiewicz
Circuit Court Judge
Sheboygan County Courthouse
615 N. 6th St.
Sheboygan, WI 53081

Lynn Zigmunt
Clerk of Circuit Court
Manitowoc County Courthouse
1010 S. 8th Street
Manitowoc, WI 54220-5380

Lisa E.F. Kumfer
Assistant Attorney General
P.O. Box 7857
Madison, WI 53707-7857

Jacalyn C. LaBre
District Attorney
1010 S. Eighth St.
Manitowoc, WI 54220

Steven G. Richards
Everson & Richards, LLP
127 Main St.
Casco, WI 54205

Tiffany M. Winter
Assistant Attorney General
P.O. Box 7857
Madison, WI 53707-7857

Kathleen T. Zellner
Kathleen T. Zellner and Associates, P.C.
1901 Butterfield Rd., Ste. 650
Downers Grove, IL 60515

You are hereby notified that the Court has entered the following order:

2017AP2288

State of Wisconsin v. Steven A. Avery (L.C. # 2005CF381)

Before Reilly, P.J.

Steven Avery appeals from the circuit court's denial of his WIS. STAT. § 974.06 (2015-16) motions. Avery, by counsel, moves the court to stay this appeal and remand to the circuit court so that he may seek further postconviction testing of evidence pursuant to WIS. STAT. § 974.07. The State objects on the grounds that a request for further scientific testing would constitute a new proceeding and such a proceeding is not necessary to decide whether the circuit court erroneously denied Avery's § 974.06 motions.

The scope of this appeal is limited to a review of the circuit court's orders denying Avery's WIS. STAT. § 974.06 motions. We conclude that further scientific testing of evidence is not necessary to decide this appeal. Good cause to remand has not been shown.

Upon the foregoing reasons,

IT IS ORDERED that the motion to stay this appeal and remand to the circuit court is denied.

IT IS FURTHER ORDERED that the appellant's brief shall be filed on or before February 1, 2019.

Sheila T. Reiff
Clerk of Court of Appeals