

**U.S. District Court  
Western District of Wisconsin (Madison)  
CIVIL DOCKET FOR CASE #: 3:11-cv-00193-wmc**

Dougan, Donald v. State of Wisconsin  
Assigned to: District Judge William M. Conley  
Referred to: Magistrate Judge Stephen L. Crocker  
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 03/15/2011  
Date Terminated: 12/30/2013  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus  
(General)  
Jurisdiction: Federal Question

**Petitioner****Donald Allan Ray Dougan**

represented by **Donald Allan Ray Dougan**  
159746  
Stanley Correctional Institution  
100 Corrections Dr.  
Stanley, WI 54768-6500  
(920) 324-5571  
Fax: waupun correctional  
PRO SE

V.

**Respondent**

**William Pollard**  
*Warden of Waupun Correctional  
Institution*  
*also known as*  
State of Wisconsin

represented by **Warren D. Weinstein**  
PO Box 7857  
17 West Main Street  
Madison, WI 53707-7857  
608-264-9444  
Fax: 608-266-9594  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/15/2011	<u>1</u>	Petition for Writ of Habeas Corpus – State, filed by Donald Allan Ray Dougan. (Case randomly assigned to District Judge William M. Conley.) (Attachments: # <u>1</u> Order discharging petitioner from probation dated 7/20/88 from District of MN, # <u>2</u> St. Croix County Circuit Court Order dated 10/21/08, # <u>3</u> Court of Appeals Decision dated 6/2/10, # <u>4</u> Cover Letter and Envelope) (elc) (Entered: 03/16/2011)
03/15/2011	<u>2</u>	Motion for Leave to Proceed in forma pauperis by Petitioner Donald Ray Dougan. (Attachments: # <u>1</u> 2/18/09 Letter from State Public Defender re: indigency) (elc),(ps) (Entered: 03/16/2011)
03/15/2011	<u>3</u>	Letter from petitioner requesting copy of petition (Attachments: # <u>1</u> Disbursement Request, # <u>2</u> 3/2/11 Denial of Photocopy Request) (elc),(ps) (Entered: 03/16/2011)
03/17/2011	<u>4</u>	ORDER on ifp request: Petitioner to submit Trust fund account statement or \$5 filing fee. Trust Fund Account Statement due 4/7/2011. Signed by Magistrate Judge Stephen L. Crocker on 3/17/2011. (jef),(ps) (Entered: 03/17/2011)
03/24/2011		Filing fee received : \$ 5, receipt number 10431.(elc),(ps) (Entered: 03/24/2011)
03/24/2011	<u>5</u>	Prisoner Trust Fund Account Statement by Petitioner Donald Allan Ray Dougan (Attachments:

		# <u>1</u> Cover Letter, # <u>2</u> Envelope) (elc),(ps) (Entered: 03/24/2011)
04/04/2011	<u>6</u>	Order to Show Cause Issued. Materials delivered to Wisconsin Department of Justice pursuant to an informal service agreement for service on Respondent William Pollard. Signed by Magistrate Judge Stephen L. Crocker on 4/4/2011. (jef),(ps) (Entered: 04/04/2011)
04/08/2011	<u>7</u>	Acceptance of Service by DOJ on behalf of Respondent William Pollard. (Weber, Gregory),(ps) (Entered: 04/08/2011)
04/12/2011	<u>8</u>	Memorandum that for the remainder of this lawsuit plaintiff need only send a copy of his filings in this case to the court pursuant to an informal service agreement with the Wisconsin Department of Justice. Signed by Magistrate Judge Stephen L. Crocker on 4/12/2011. (jef),(ps) (Entered: 04/12/2011)
04/14/2011	<u>9</u>	Notice of Appearance <i>on behalf of William Pollard, Warden</i> filed by Mark Anthony Neuser for Respondent William Pollard (Attachments: # <u>1</u> Certificate of Service Notice of Appearance) (Neuser, Mark),(ps) (Entered: 04/14/2011)
05/03/2011	<u>10</u>	<b>MOTION TO DISMISS <i>Habeas Petition</i></b> by Respondent William Pollard. (Attachments: # <u>1</u> Exhibit A – Judgment of Conviction, # <u>2</u> Exhibit B – Dougan's brief-in-chief in the Wisconsin Court of Appeals, # <u>3</u> Exhibit C – State's brief-in-chief in the Wisconsin Court of Appeals, # <u>4</u> Exhibit D – Dougan's reply brief in the Wisconsin Court of Appeals, # <u>5</u> Exhibit E – June 2, 2010, decision of the Wisconsin Court of Appeals, # <u>6</u> Exhibit F – Dougan's brief in support of petition for review to the Wisconsin Supreme Court, # <u>7</u> Exhibit G – October 27, 2010, Wisconsin Supreme Court order denying review, # <u>8</u> Certificate of Service Motion to Dismiss with Exhibits A–G) (Neuser, Mark),(ps) (Entered: 05/03/2011)
05/04/2011		Set Deadlines as to <u>10</u> MOTION TO DISMISS <i>Habeas Petition</i> . Petitioner's Brief in Opposition due 5/24/2011. Respondent's Brief in Reply due 6/3/2011. (elc),(ps) (Entered: 05/04/2011)
05/23/2011	<u>11</u>	Brief in Opposition by Petitioner Donald Allan Ray Dougan re: <u>10</u> MOTION TO DISMISS <i>Habeas Petition</i> filed by William Pollard (Attachments: # <u>1</u> Cover Letter and Envelope) (elc),(ps) (Entered: 05/23/2011)
05/23/2011	<u>12</u>	Motion to amend petition for writ of habeas corpus by Petitioner Donald Allan Ray Dougan. (elc),(ps) (Entered: 05/23/2011)
06/07/2011	<u>13</u>	Brief in Reply <i>in Support of Motion to Dismiss Habeas Petition</i> by Respondent William Pollard. (Attachments: # <u>1</u> Certificate of Service) (Neuser, Mark),(ps) Modified on 6/8/2011 (elc). (Entered: 06/07/2011)
02/17/2012	<u>14</u>	Motion to resume the briefing on the substantive merits by Petitioner Donald Allan Ray Dougan. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 02/17/2012)
03/05/2012	<u>15</u>	(Unsigned)Brief in Support of <u>1</u> Petition for Writ of Habeas Corpus, by Petitioner Donald Allan Ray Dougan (Attachments: # <u>1</u> Appendix Cover Page, # <u>2</u> Index to Appendix, # <u>3</u> State of Minnesota Order Discharging Probation dated 7/20/88, # <u>4</u> Statements of Lies, Contradictions and Inconsistencies, # <u>5</u> West's Wisconsin Statutes Annotated Chapter 941.29 Possession of a Firearm, # <u>6</u> Westlaw Minnesota Statutes Annotated Chapter 609.13 Convictions of a Felony or Gross Misdemeanor, # <u>7</u> Beecham v U.S., 511 U.S. 368, # <u>8</u> U.S. v Bost, # <u>9</u> U.S. v Buchmeier, 581 F.3d 561,

		# <u>10</u> St. Croix County Order directing collection of samples for DNA testing with receipt of physical evidence, # <u>11</u> WI Court of Appeals Decision Dated June 2, 2010 (missing pages 6 and 7), # <u>12</u> Envelope) (elc),(ps) (Entered: 03/05/2012)
03/05/2012	<u>16</u>	Letter from court returning <u>15</u> Unsigned Brief in Support of Petition for Writ of Habeas Corpus to petitioner for signature. (elc),(ps) (Entered: 03/05/2012)
03/09/2012	<u>17</u>	Notice of Substitution of Attorney by Respondent William Pollard. (Attachments: # <u>1</u> Certificate of Service Substitution of Attorney) (Weinstein, Warren),(ps) Modified on 3/12/2012 (jaf). (Entered: 03/09/2012)
03/09/2012	<u>18</u>	Signed Brief in Support of <u>1</u> Petition for Writ of Habeas Corpus, by Petitioner Donald Allan Ray Dougan (signed copy of Dkt. <u>15</u> ) (Attachments: # <u>1</u> Appendix Cover Page, # <u>2</u> Index to Appendix, # <u>3</u> State of Minnesota Order Discharging Probation dated 7/20/88, # <u>4</u> Statements of Lies, Contradictions and Inconsistencies, # <u>5</u> West's Wisconsin Statutes Annotated Chapter 941.29 Possession of a Firearm, # <u>6</u> Westlaw Minnesota Statutes Annotated Chapter 609.13 Convictions of a Felony or Gross Misdemeanor, # <u>7</u> Beecham v U.S., 511 U.S. 368, # <u>8</u> U.S. v Bost, # <u>9</u> U.S. v Buchmeier, 581 F.3d 561, # <u>10</u> St. Croix County Order directing collection of samples for DNA testing with receipt of physical evidence, # <u>11</u> WI Court of Appeals Decision Dated June 2, 2010 (missing pages 6 and 7), # <u>12</u> Envelope) (elc),(ps) (Entered: 03/09/2012)
08/03/2012	<u>19</u>	ORDER granting petitioner's <u>12</u> Motion to amend his petition to withdraw two unexhausted claims from his original petition; granting respondent's <u>10</u> motion to dismiss the remaining claim lodged in the original petition; denying petitioner's <u>14</u> motion to amend or supplement the petition with additional claims subject to reconsideration by the court following the parties' supplemental briefing. Petitioner is directed to file a written supplement to his proposed, amended petition within thirty days of the date of this order listing those exhausted claims he seeks to pursue in this case and for each such claim, providing a short statement of supporting facts and argument demonstrating how he exhausted his state court remedies. Within thirty days of the date of petitioner filing a written supplement as instructed, the respondent shall file a reply or supplemental motion to dismiss, as appropriate. Signed by District Judge William M. Conley on 8/3/2012. (jef),(ps) (Entered: 08/03/2012)
09/05/2012	<u>20</u>	Supplement to Petition for Writ of Habeas Corpus, filed by Donald Allan Ray Dougan (Attachments: # <u>1</u> May 11, 2011 Letter to Clerk of WI Supreme Court, # <u>2</u> Petition for Review with Memorandum filed with Supreme Court of WI, # <u>3</u> January 24, 2012 Order from Supreme Court of WI, # <u>4</u> Cover Letter and Envelope) (elc),(ps) (Entered: 09/05/2012)
09/05/2012		Set Deadlines pursuant to August 3, 2012 court order. Respondent's reply or supplemental motion to dismiss is due 10/5/2012. (elc),(ps) (Entered: 09/05/2012)
10/04/2012	<u>21</u>	<i>Respondent's Reply to Petitioner's Supplement to Amended Petition re: <u>20</u></i> Supplement to Petition for Writ of Habeas Corpus. (Attachments: # <u>1</u> Certificate of Service Reply to Petitioner's Supplement to Amended Petition) (Weinstein, Warren),(ps) Modified on 10/4/2012 (elc). (Entered: 10/04/2012)
10/11/2013	<u>22</u>	Letter Requesting Status Update from Attorney Peter Morin by Petitioner Donald Allan Ray Dougan. (Attachments: # <u>1</u> Envelope) (jaf),(ps) (Entered: 10/11/2013)
12/30/2013	<u>23</u>	ORDER denying <u>20</u> supplemental amended petition for writ of habeas corpus and dismissing this case with prejudice. Signed by District Judge William M. Conley on 12/27/2013. (jef),(ps) (Entered: 12/30/2013)

12/30/2013	<u>24</u>	JUDGMENT denying the supplemental amended petition of Donald Allan Ray Dougan for a writ of habeas corpus under 28 U.S.C. § 2254 and dismissing this case with prejudice. (PAO/jef). (jef),(ps) (Entered: 12/30/2013)
01/17/2014	<u>25</u>	NOTICE OF APPEAL by Petitioner Donald Allan Ray Dougan as to <u>24</u> Judgment, <u>23</u> Order. In forma pauperis pending. No Docketing Statement filed. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 01/17/2014)
01/17/2014	<u>26</u>	Appeal Information Packet. (jef),(ps) (Entered: 01/17/2014)