

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN**

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**JENNIFER S. PETKUS**

Plaintiff,

v.

Case No. 12 CV 104

**RICHLAND COUNTY,  
WILSON MUTUAL INSURANCE COMPANY  
And WISCONSIN COUNTY MUTUAL INSURANCE CORP. /  
AEGIS CORPORATION,**

Defendants.

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**DOCKETING STATEMENT**

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Pursuant to Circuit Court Rule 3(c)(1) and Circuit Court Rule 28(a), Richland County and Wisconsin County Mutual Insurance Corporation, Defendants herein, state as follows:

1. On July 18, 2011, Plaintiff Jennifer Petkus filed the original action in Richland County, Wisconsin, Circuit Court. Plaintiff Jennifer Petkus filed an Amended Complaint in that action on January 27, 2012. The Amended Complaint alleged federal causes of action for the first time in the matter pursuant to 42 U.S.C. § 1983, by alleging that her civil rights were violated during a search and seizure of her premises while the Richland County Sheriff's Department executed a search warrant.

2. The Notice of Removal was filed by Defendants Richland County and Wisconsin County Mutual Insurance Corporation pursuant to 28 U.S.C. § 1446 on February 15, 2012.

3. The District Court had original but not exclusive jurisdiction of the subject civil proceeding pursuant to 28 U.S.C. § 1331. Plaintiff Jennifer Petkus and Defendants Richland County were domiciled within the venue of the U.S. District Court for the Western District of Wisconsin pursuant to 28 U.S.C. § 130(b).

4. Removal to the U.S. District Court for the Western District of Wisconsin was proper pursuant to 28 U.S.C. § 1441(a) and (c).

5. Jurisdiction of this Circuit Court to determine this appeal exists under 28 U.S.C. § 1291.

6. There have been no prior or related appellate proceedings in this case. No prior litigation was held in the district court that was not appealed.

7. Pursuant to Circuit Rule 28(a)(1), jurisdiction is based on the existence of a federal question and the provision involved is a federal statute, 42 U.S.C. § 1983, involving the Unreasonable Search and Seizure clause of the Fourth Amendment to the United States Constitution.

8. Pursuant to Circuit Rule 28(a)(2):

- i) The date of the judgment sought to be reviewed is May 1, 2013.
- ii) A Motion to Alter or Amend Judgment or For New Trial Pursuant to Rule 59 and Rule 60(b)(6) was filed on May 29, 2013.
- iii) The Motion to Alter or Amend Judgment or For New Trial Pursuant to Rule 59 and Rule 60(b)(6) was denied by the Court on October 22, 2013.
- iv) Notice of Appeal was filed by Timothy J. Casper on November 21, 2013.

- v) This is not a direct appeal from the decision of a magistrate.

Dated this 21<sup>st</sup> day of November, 2013.

**MURPHY DESMOND S.C.**  
Attorneys for Defendants  
Richland County and Wisconsin County  
Mutual Insurance Corporation

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