

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:14-cv-00567-jdp**

Shuttlesworth, Jermaine v. Richardson, Reed
Assigned to: District Judge James D. Peterson
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 08/14/2014
Date Terminated: 11/10/2016
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Petitioner**Jermaine W. Shuttlesworth**

represented by **Jermaine W. Shuttlesworth**
497075
Stanley Correctional Institution
100 Corrections Dr.
Stanley, WI 54768-6500
(715) 644-2960
PRO SE

V.

Respondent**Respondent***TERMINATED: 12/04/2015*

represented by **Gregory M. Weber**
Wisconsin Department of Justice
P.O. Box 7857
Madison, WI 53707
608-266-3935
Fax: 608-266-9594
Email: federalordersca@doj.state.wi.us
TERMINATED: 12/08/2015
LEAD ATTORNEY

Respondent**Reed Richardson**

represented by **Gregory M. Weber**
(See above for address)
TERMINATED: 12/08/2015
LEAD ATTORNEY

Aaron R. O'Neil
Wisconsin Department of Justice
P.O. Box 7857
Madison, WI 53707
608-266-1740
Fax: 608-266-9594
Email: oneilar@doj.state.wi.us
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/14/2014	<u>1</u>	Petition for Writ of Habeas Corpus – State, filed by Jermaine W. Shuttlesworth. (Case randomly assigned to District Judge James D. Peterson.) (Attachments: # <u>1</u> Envelope) (jef) (Entered: 08/14/2014)
08/14/2014	<u>2</u>	Supplement / Statement of Case, Standard of Review and Grounds 1-3 arguments re: <u>1</u> Petition for Writ of Habeas Corpus by Petitioner Jermaine W. Shuttlesworth. (Attachments: # <u>1</u> Table of Contents and Table of Authorities, # <u>2</u> Exhibit A – Laboratory findings,

		# <u>3</u> Exhibit B – Wis. Supreme Ct. denial for review) (jef),(ps) (Entered: 08/14/2014)
08/25/2014	<u>3</u>	ORDER on ifp request: Petitioner to submit \$5 or Motion for ifp and trust fund account statement. \$5 fee or motion and Trust Fund Account Statement due 9/15/2014. Signed by Magistrate Judge Peter A. Oppeneer on 8/25/2014. (jef),(ps) (Entered: 08/25/2014)
09/08/2014		Filing fee received: \$ 5, receipt number 34690021062. (jef),(ps) (Entered: 09/08/2014)
01/15/2015	<u>4</u>	Letter Requesting Status Update by Petitioner Jermaine W. Shuttlesworth. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 01/15/2015)
01/16/2015	<u>5</u>	Letter from Clerk's office in response to <u>4</u> letter requesting status update by Petitioner Jermaine W. Shuttlesworth. (nlm),(ps) (Entered: 01/16/2015)
12/04/2015	<u>6</u>	Order to Show Cause Issued. Materials served on WI Department of Justice pursuant to informal service agreement. Signed by District Judge James D. Peterson on 12/4/2015. (jef),(ps) (Entered: 12/04/2015)
12/04/2015	<u>7</u>	Acceptance of Service by DOJ on behalf of Respondent Reed Richardson. (Weber, Gregory),(ps) (Entered: 12/04/2015)
12/07/2015	<u>8</u>	Notice that for the remainder of this lawsuit petitioner 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. (nlm),(ps) (Entered: 12/07/2015)
12/08/2015	<u>9</u>	Notice of Appearance filed by Aaron R. O'Neil for Respondent Reed Richardson. (O'Neil, Aaron),(ps) (Entered: 12/08/2015)
01/29/2016	<u>10</u>	<i>Respondent's</i> Response to <u>1</u> Petition for Writ of Habeas Corpus – State by Respondent Reed Richardson, (Attachments: # <u>1</u> Exhibit 1 – Judgments of Conviction, # <u>2</u> Exhibit 2 – Shuttlesworth motion to compel release of SANE report, # <u>3</u> Exhibit 3 – Wisconsin Court of Appeals Order denying motion dated 3–4–13, # <u>4</u> Exhibit 4 – Petition for review filed by Shuttlesworth, # <u>5</u> Exhibit 5 – Wisconsin Supreme Court Order dismissing petition for review dated 3–20–15, # <u>6</u> Exhibit 6 – Appointed counsel's no–merit report filed in Wisconsin Supreme Court, # <u>7</u> Exhibit 7 – Shuttlesworth response to the no–merit report, # <u>8</u> Exhibit 8 – Appointed counsel's supplemental no–merit report dated 4–23–13, # <u>9</u> Exhibit 9 – Appointed counsel's supplemental no–merit report dated 5–31–13, # <u>10</u> Exhibit 10 – Wisconsin Court of Appeals decision and order accepting no–merit and affirming judgments of conviction dated 10–30–13, # <u>11</u> Exhibit 11 – Shuttlesworth's petition for review in the Wisconsin Supreme Court, # <u>12</u> Exhibit 12 – State of Wisconsin response to Shuttlesworth's petition for review, # <u>13</u> Exhibit 13 – Wisconsin Supreme Court order denying petition for review dated 2–19–14, # <u>14</u> Exhibit 14 – Transcript of Bail Hearing dated 2–14–12, # <u>15</u> Exhibit 15 – Transcript of Initial Appearance dated 2–16–12, # <u>16</u> Exhibit 16 – Transcript of adjourned Initial Appearance dated 2–24–12, # <u>17</u> Exhibit 17 – Transcript of Preliminary Hearing dated 4–12–12, # <u>18</u> Exhibit 18 – Transcript of Preliminary Hearing dated 5–4–12, # <u>19</u> Exhibit 19 – Transcript of Sentencing Hearing dated 8–16–12, # <u>20</u> Certificate of Service for Answer and Exhibits) (O'Neil, Aaron),(ps) Modified on 1/29/2016: Clarified exhibit descriptions. (lak) (Entered: 01/29/2016)
01/29/2016		Set Briefing Deadlines as to <u>1</u> Petition for Writ of Habeas Corpus – State. Petitioner's additional Brief in Support or written notice that he intends to rest on his initial brief is due 2/29/2016. Respondent's brief in opposition due within 30 days of receipt of petitioner's brief or notice. Once respondent files a brief in opposition, petitioner will have 20 days to file a reply if he wishes to do so. (nlm),(ps) (Entered: 01/29/2016)
02/22/2016	<u>11</u>	Brief in Support of <u>1</u> Petition for Writ of Habeas Corpus by Petitioner Jermaine W. Shuttlesworth. (Attachments: # <u>1</u> Exhibit A – Wis. Dept. of Justice laboratory findings,

		# <u>2</u> Envelope) (jef),(ps) (Entered: 02/22/2016)
02/22/2016		Set/Reset Deadlines as to <u>1</u> Petition for Writ of Habeas Corpus. Respondent's Brief in Opposition due 3/23/2016. Once respondent files a brief in opposition, petitioner will have 20 days to file a reply if he wishes to do so. (jef),(ps) (Entered: 02/22/2016)
03/21/2016	<u>12</u>	Motion for Extension of Time <i>to File Brief</i> by Respondent Reed Richardson. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <u>1</u> Certificate of Service) (O'Neil, Aaron),(ps) Modified on 3/22/2016. (lak) (Entered: 03/21/2016)
03/21/2016	13	** TEXT ONLY ORDER ** Respondent's <u>12</u> Motion for Extension of Time until April 21, 2016 to file his brief in opposition to the petition for writ of habeas corpus is GRANTED. Once respondent files his brief in opposition, petitioner will have 20 days to file a reply if he wishes to do so. Signed by Magistrate Judge Stephen L. Crocker on 3/21/2016. (elc),(ps) (Entered: 03/21/2016)
04/20/2016	<u>14</u>	Brief in Opposition by Respondent Reed Richardson re: <u>1</u> Petition for Writ of Habeas Corpus filed by Jermaine W. Shuttlesworth, (Attachments: # <u>1</u> Certificate of Service) (O'Neil, Aaron),(ps) (Entered: 04/20/2016)
04/20/2016		Reset Briefing Deadlines as to <u>1</u> Petition for Writ of Habeas Corpus – State. Petitioner's Brief in Reply due 5/10/2016. (nlm),(ps) (Entered: 04/20/2016)
04/28/2016	<u>15</u>	Motion for extension of time to file reply brief, by Petitioner Jermaine W. Shuttlesworth. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter and Envelope) (nlm),(ps) (Entered: 04/28/2016)
04/29/2016	16	** TEXT ONLY ORDER ** ORDER granting <u>15</u> Motion for Extension of Time. Petitioner's Brief in Reply due 6/13/2016. Signed by Magistrate Judge Stephen L. Crocker on 4/29/2016. (nlm),(ps) (Entered: 04/29/2016)
06/10/2016	<u>17</u>	Brief in Reply by Petitioner Jermaine W. Shuttlesworth in Support of <u>1</u> Petition for Writ of Habeas Corpus. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter, # <u>3</u> Envelope) (jef),(ps) (Entered: 06/10/2016)
06/10/2016	<u>18</u>	Affidavit of Petitioner Jermaine W. Shuttlesworth re: <u>1</u> Petition for Writ of Habeas Corpus. (Attachments: # <u>1</u> Appendix 100 – Correspondence, incident report, medical records, other documents) (jef),(ps) (Entered: 06/10/2016)
06/10/2016	<u>19</u>	Motion for Discovery by Petitioner Jermaine W. Shuttlesworth. (jef),(ps) (Entered: 06/10/2016)
06/10/2016	<u>20</u>	Motion to expand the record pursuant to Fed. R. Civ. P. 7 by Petitioner Jermaine W. Shuttlesworth. (jef),(ps) (Entered: 06/10/2016)
06/10/2016		Set Briefing Deadlines as to petitioner's <u>20</u> Motion to expand the record and <u>19</u> Motion for discovery. Respondent's Brief in Opposition due 6/20/2016. Petitioner's Brief in Reply due 6/30/2016. (jef),(ps) (Entered: 06/10/2016)
06/20/2016	<u>21</u>	Motion for Leave to File and Combined Brief in Opposition by Respondent Reed Richardson re: <u>20</u> Motion to expand the record filed by Jermaine W. Shuttlesworth, <u>19</u> Motion for Discovery filed by Jermaine W. Shuttlesworth, (Attachments: # <u>1</u> Certificate of Service) (O'Neil, Aaron),(ps) Modified on 6/21/2016: This document includes a Motion for Leave to File. (lak) (Entered: 06/20/2016)
06/30/2016	<u>22</u>	Brief in Reply by Petitioner Jermaine W. Shuttlesworth in Support of <u>19</u> Motion for Discovery, <u>20</u> Motion to expand the record pursuant to Fed. R. Civ. P. 7 and Response to Respondent's <u>21</u> Motion for Leave to File Response to Petitioner's Reply. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter and Envelope) (nlm),(ps) (Entered: 06/30/2016)

07/01/2016		Set Briefing Deadlines as to <u>21</u> Motion for leave to file response to petitioner's reply brief. Respondent's Brief in Reply due 7/8/2016. (nlm),(ps) (Entered: 07/01/2016)
07/08/2016	<u>23</u>	Brief in Reply by Respondent Reed Richardson in Support of <u>21</u> Motion for Leave to File, (Attachments: # <u>1</u> Certificate of Service) (O'Neil, Aaron),(ps) Modified on 7/9/2016. (lak) (Entered: 07/08/2016)
11/10/2016	<u>24</u>	ORDER denying <u>19</u> Motion for Discovery; granting <u>20</u> Motion to expand the record for the limited purposes discussed in this opinion; granting <u>21</u> Motion for Leave to File; denying <u>1</u> Petition for Writ of Habeas Corpus. The clerk of court is directed to enter judgment for respondent and close this case. Petitioner's request for a certificate of appealability is DENIED. Signed by District Judge James D. Peterson on 11/10/2016. (jef),(ps) (Entered: 11/10/2016)
11/10/2016	<u>25</u>	JUDGMENT entered denying Jermaine W. Shuttlesworth's petition for a writ of habeas corpus under 28 U.S.C. § 2254 and dismissing this case. Signed by Peter A. Oppeneer, Clerk of Court on 11/10/2016. (jef),(ps) (Entered: 11/10/2016)
12/02/2016	<u>26</u>	Motion to Alter or Amend Judgment by Petitioner Jermaine W. Shuttlesworth. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter and Envelope) (elc),(ps) (Additional attachment(s) added on 12/2/2016: # <u>3</u> Appendix 100 – Emergency Center Sexual Assault Evidence Collection Form, # <u>4</u> Appendix 200 – Supplemental Kewaunee County Sheriff's Deputy Report) (elc) Note: Appendix 300 (Affidavit docketed separately at <u>27</u>). (Entered: 12/02/2016)
12/02/2016	<u>27</u>	Affidavit of Jermaine Shuttlesworth re: <u>26</u> Motion to Alter or Amend Judgment. (elc),(ps) (Entered: 12/02/2016)
01/04/2017	<u>28</u>	ORDER denying <u>26</u> Motion to Alter or Amend Judgment. Signed by District Judge James D. Peterson on 1/4/2017. (jef),(ps) (Entered: 01/04/2017)
01/26/2017	<u>29</u>	Motion to Alter and/or Amend pursuant to rule 59(3) District Court's decision dated January 4, 2017, by Petitioner Jermaine W. Shuttlesworth. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Cover Letter, # <u>3</u> Envelope) (jef),(ps) (Entered: 01/26/2017)
01/26/2017	<u>30</u>	Motion for Certificate of Appealability by Petitioner Jermaine W. Shuttlesworth. (jef),(ps) (Entered: 01/26/2017)
01/26/2017	<u>31</u>	NOTICE OF APPEAL by Petitioner Jermaine W. Shuttlesworth as to <u>25</u> Judgment, <u>28</u> Order. In forma pauperis requested. No Docketing Statement filed. (jef),(ps) (Entered: 01/26/2017)
01/26/2017	<u>32</u>	Motion for Leave to Proceed in forma pauperis on Appeal by Petitioner Jermaine W. Shuttlesworth. (jef),(ps) (Entered: 01/26/2017)
01/26/2017	<u>33</u>	Appeal Information Packet. (jef),(ps) (Entered: 01/26/2017)