

**U.S. District Court  
Western District of Wisconsin (Madison)  
CIVIL DOCKET FOR CASE #: 3:15-cv-00355-wmc**

Singleton, Marcus v. Smith, Judy  
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: 06/10/2015  
Date Terminated: 07/06/2017  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus  
(General)  
Jurisdiction: Federal Question

**Petitioner****Marcus Orlando Singleton**

represented by **Marcus Orlando Singleton**  
571881  
Green Bay Correctional Institution  
2833 Riverside Dr.  
P.O. Box 19033  
Green Bay, WI 54307-9033  
PRO SE

V.

**Respondent****Judy P. Smith**  
*Warden*

represented by **Gregory M. Weber**  
Wisconsin Department of Justice  
P.O. Box 7857  
Madison, WI 53707  
608-266-3935  
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Email: [federalordersca@doj.state.wi.us](mailto:federalordersca@doj.state.wi.us)  
*TERMINATED: 11/18/2015*  
*LEAD ATTORNEY*

**Scott Rosenow**  
Wisconsin Department of Justice  
17 W. Main Street  
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*ATTORNEY TO BE NOTICED*

**E-filing Institution****GBCI Prison Facility**

Date Filed	#	Docket Text
06/10/2015	<u>1</u>	Petition for Writ of Habeas Corpus – State, filed by Petitioner Marcus Orlando Singleton. (Case randomly assigned to District Judge William M. Conley.) (Attachments: # <u>1</u> Exhibits to Petition (Part 1) (Redacted), # <u>2</u> Exhibits to Petition (Part 2) (Redacted), # <u>3</u> Envelope) (nl) (Entered: 06/11/2015)
06/10/2015	<u>2</u>	Motion for Leave to Proceed in forma pauperis by Petitioner Marcus Orlando Singleton. (nl),(ps) (Entered: 06/11/2015)

06/12/2015	<u>3</u>	ORDER on ifp request: Petitioner Marcus Singleton to pay \$5 filing fee or submit Trust Fund Account Statement by 7/2/2015. Signed by Magistrate Judge Peter Oppeneer on 6/12/2015. (nln),(ps) (Entered: 06/12/2015)
06/24/2015	<u>4</u>	Letter from petitioner Marcus Orlando Singleton requesting use of release account funds to pay for copy of <u>1</u> petition to send to AAG Weber. (Attachments: # <u>1</u> Disbursement Request dated 6/08/15, # <u>2</u> Envelope) (nln),(ps) (Entered: 06/24/2015)
06/24/2015	<u>5</u>	Letter from petitioner Marcus Orlando Singleton requesting use of release account funds to pay \$5 filing fee. (Attachments: # <u>1</u> Disbursement Request dated 6/08/15, # <u>2</u> Trust Fund Account Statement from 5/15/15 to 5/29/15 (redacted), # <u>3</u> Envelope) (nln),(ps) (Entered: 06/24/2015)
06/26/2015	<u>6</u>	ORDER on ifp request: Petitioner to submit Trust Fund Account Statement. Trust Fund Account Statement due 7/15/2015. Signed by Peter A. Oppeneer, Clerk of Court on 6/26/2015. (jef),(ps) (Entered: 06/26/2015)
06/30/2015	<u>7</u>	Letter from Clerk's Office in response to <u>4</u> letter from petitioner Marcus Orlando Singleton. (nln),(ps) (Entered: 06/30/2015)
07/13/2015	<u>8</u>	Prisoner Trust Fund Account Statement by Petitioner Marcus Orlando Singleton. (Attachments: # <u>1</u> Envelope) (elc),(ps) (Additional attachment(s) added on 7/15/2015: # <u>2</u> IPP Calculation) (nln). (Entered: 07/13/2015)
07/16/2015	<u>9</u>	ORDER denying <u>2</u> Motion for Leave to Proceed in forma pauperis. The \$5.00 Filing Fee is due 8/5/2015. Signed by Magistrate Judge Peter A. Oppeneer on 7/16/2015. (elc),(ps) (Entered: 07/16/2015)
07/23/2015	<u>10</u>	Motion for Use of Release Account Funds (unsigned) by Petitioner Marcus Orlando Singleton. (See <u>12</u> for signed copy.) (Attachments: # <u>1</u> Envelope) (elc),(ps) Modified docket text on 7/31/2015 (nln). (Entered: 07/23/2015)
07/24/2015	<u>11</u>	Letter from clerk's office returning <u>10</u> to petitioner for signature. (elc),(ps) (Entered: 07/24/2015)
07/31/2015	<u>12</u>	Signed copy of <u>10</u> Motion for Use of Release Account Funds filed by Marcus Orlando Singleton. (Attachments: # <u>1</u> Envelope) (nln),(ps) (Entered: 07/31/2015)
08/05/2015	<u>13</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis; denying as moot <u>10</u> Motion for Use of Release Account Funds. Signed by Magistrate Judge Peter A. Oppeneer on 8/5/2015. (jef),(ps) (Entered: 08/05/2015)
10/23/2015	<u>14</u>	Order to Show Cause Issued. Materials served on WI Department of Justice pursuant to informal service agreement.. Signed by District Judge William M. Conley on 10/23/2015. (jef),(ps) (Entered: 10/23/2015)
10/27/2015	<u>15</u>	Acceptance of Service by DOJ on behalf of Respondent Judy P. Smith. (Weber, Gregory),(ps) Modified on 10/27/2015: Case number on document is incorrect. (lak) (Entered: 10/27/2015)
10/27/2015	<u>16</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. (nln),(ps) (Entered: 10/27/2015)
11/18/2015	<u>17</u>	Notice of Appearance <i>for Respondent</i> filed by Scott Rosenow for Respondent Judy P. Smith. (Rosenow, Scott),(ps) (Entered: 11/18/2015)
12/16/2015	<u>18</u>	<i>Respondent's Answer</i> Response to <u>1</u> Petition for Writ of Habeas Corpus – State by Respondent Judy P. Smith. (Attachments: # <u>1</u> Exhibit 1 – Judgment of Conviction, # <u>2</u> Exhibit 2 – Singleton's COA Brief, # <u>3</u> Exhibit 3 – State's Response Brief, # <u>4</u> Exhibit 4 – Singleton's Reply Brief, # <u>5</u> Exhibit 5 – Ct. App. Decision Summarily Affirming,

		<p># <u>6</u> Exhibit 6 – No Merit Petition for Review,  # <u>7</u> Exhibit 7 – State's Letter Response Opposing PR,  # <u>8</u> Exhibit 8 – Supreme Ct. Order Denying PR,  # <u>9</u> Exhibit 9 – Brief in Support of Knight Petition,  # <u>10</u> Exhibit 10 – Ct. App. Decision Denying Petition,  # <u>11</u> Exhibit 11 – Petition for Review in 15AP008,  # <u>12</u> Exhibit 12 – Transcript of Jury Trial 2–21–2012 (a.m.),  # <u>13</u> Exhibit 13 – Transcript of Jury Trial 2–21–2012 (p.m.),  # <u>14</u> Exhibit 14 – Transcript of Jury Trial 2–22–2012 (a.m.),  # <u>15</u> Exhibit 15 – Transcript of Jury Trial 2–22–2012 Closing Arguments,  # <u>16</u> Exhibit 16 – Transcript of Sentencing Hearing 5–04–2012,  # <u>17</u> Certificate of Service for Answer to Petition for Writ of Habeas Corpus and Exhibits 1 – 16) (Rosenow, Scott),(ps) (Entered: 12/16/2015)</p>
12/16/2015		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 1/15/2016. 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: 12/16/2015)
12/28/2015	<u>19</u>	Brief in Support of <u>1</u> Petition for Writ of Habeas Corpus, by Petitioner Marcus Orlando Singleton. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 12/28/2015)
12/28/2015		Reset Briefing Deadlines as to <u>1</u> Petition for Writ of Habeas Corpus – State. Respondent's Brief in Opposition due 1/27/2016. Once respondent files a brief in opposition, petitioner shall have 20 days to file a reply if he wishes to do so. (nlm),(ps) (Entered: 12/28/2015)
01/22/2016	<u>20</u>	Motion for Extension of Time to <i>File Brief in Opposition to Petition for Writ of Habeas Corpus</i> by Respondent Judy P. Smith. Motions referred to Magistrate Judge Stephen L. Crocker. (Attachments: # <u>1</u> Certificate of Service) (Rosenow, Scott),(ps) Modified on 1/25/2016. (lak) (Entered: 01/22/2016)
01/26/2016	<u>21</u>	** TEXT ONLY ORDER ** ORDER granting <u>20</u> Motion for Extension of Time to <i>File Brief in Opposition to Petition for Writ of Habeas Corpus</i> . Respondent's Brief in Opposition due 2/26/2016. Once respondent files a brief in opposition, petitioner shall have 20 days to file a reply if he wishes to do so. Signed by Magistrate Judge Stephen L. Crocker on 1/26/2016. (nlm),(ps) (Entered: 01/26/2016)
02/26/2016	<u>22</u>	Brief in Opposition by Respondent Judy P. Smith re: <u>1</u> Petition for Writ of Habeas Corpus, filed by Marcus Orlando Singleton, (Attachments: # <u>1</u> Certificate of Service) (Rosenow, Scott),(ps) Modified on 2/27/2016. (lak) (Entered: 02/26/2016)
02/26/2016		Reset Briefing Deadlines as to <u>1</u> Petition for Writ of Habeas Corpus – State. Petitioner's Brief in Reply due 3/17/2016. (nlm),(ps) (Entered: 02/26/2016)
03/04/2016	<u>23</u>	Brief in Reply in Support of <u>1</u> Petition for Writ of Habeas Corpus, by Petitioner Marcus Orlando Singleton. (Attachments: # <u>1</u> Envelope) (jef),(ps) (Entered: 03/04/2016)
07/06/2017	<u>24</u>	ORDER denying <u>1</u> Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 and dismissing this matter. A certificate of appealability is DENIED. Signed by District Judge William M. Conley on 7/6/2017. (jef),(ps) (Entered: 07/06/2017)
07/06/2017	<u>25</u>	JUDGMENT entered denying Marcus Orlando Singleton'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 7/6/2017. (jef),(ps) (Entered: 07/06/2017)
07/12/2017	<u>26</u>	Letter Requesting Status Update by Petitioner Marcus Orlando Singleton. Mailed petitioner copy of <u>24</u> order and <u>25</u> judgment to petitioner's updated address at GBCI. (Attachments: # <u>1</u> Envelope) (nlm),(ps) (Entered: 07/12/2017)

07/17/2017	<u>27</u>	NOTICE OF APPEAL by Petitioner Marcus Orlando Singleton as to <u>24</u> Order on Petition for Writ of Habeas Corpus, <u>25</u> Judgment. In forma pauperis pending. No Docketing Statement filed. (Attachments: # <u>1</u> Court of Appeals cover letter) (jef),(ps) (Entered: 07/27/2017)
07/27/2017	<u>28</u>	Appeal Information Packet. (jef),(ps) (Entered: 07/27/2017)