

**U.S. District Court
Western District of Wisconsin (Madison)
CIVIL DOCKET FOR CASE #: 3:17-cv-00049-bbc**

Smith, Tyrone, et al v. State of Wisconsin Court of Appeals,
District One
Assigned to: District Judge Barbara B. Crabb
Referred to: Magistrate Judge Stephen L. Crocker
Cause: 28:2241 Petition for Writ of Habeas Corpus (federa

Date Filed: 01/23/2017
Date Terminated: 05/22/2017
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Petitioner**Tyrone Davis Smith**

represented by **Tyrone Davis Smith**
297130
Fox Lake Correctional Institution
W10237 Lake Emily Rd.
P.O. Box 200
Fox Lake, WI 53933-0147
(920) 928-3151
PRO SE

Petitioner**State of Wisconsin, ex rel.**

V.

Respondent**State of Wisconsin Court of Appeals,
District One**

represented by **Charlotte Gibson**
Wisconsin Department of Justice
P.O. Box 7857
Madison, WI 53707
608-266-7656
Fax: 608-267-8906
Email: gibsoncj@doj.state.wi.us
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/23/2017	<u>1</u>	Petition for Writ of Habeas Corpus – State, filed by Tyrone Davis Smith. (Case randomly assigned to District Judge Barbara B. Crabb.) (Attachments: # <u>1</u> Exhibit I – WI Supreme Court order dated 1/9/17, # <u>2</u> Exhibit II – WI Court of Appeals order dated 8/24/16, # <u>3</u> Exhibit III – WI Court of Appeals order dated 9/19/16, # <u>4</u> Cover Letter and Envelope) (nln) (Entered: 01/24/2017)
01/23/2017	<u>2</u>	Return of Writ Pursuant to 28 U.S.C. 2243, by Petitioner Tyrone Davis Smith. (nln),(ps) (Entered: 01/24/2017)
01/23/2017	<u>3</u>	Motion for Leave to Proceed in forma pauperis by Petitioner Tyrone Davis Smith. (Attachments: # <u>1</u> Authorization for Release of Insitutional Account Information and Payment of the Filing Fee) (nln),(ps) (Entered: 01/24/2017)
01/23/2017	<u>4</u>	Prisoner Trust Fund Account Statement by Petitioner Tyrone Davis Smith. (nln),(ps) (Entered: 01/24/2017)
01/24/2017	<u>5</u>	ORDER that Petitioner Tyrone Davis Smith's <u>3</u> motion for leave to proceed withoutprepayment of the filing fee is DENIED. Full \$5 filing fee due 2/15/17. Signed

		by Magistrate Judge Peter A. Oppeneer on 1/24/2017. (nln),(ps) (Entered: 01/24/2017)
02/01/2017	<u>6</u>	Motion for Use of Release Account Funds by Petitioner Tyrone Davis Smith. (Attachments: # <u>1</u> Envelope) (nln),(ps) (Entered: 02/01/2017)
02/17/2017		Filing fee received : \$ 5.00, receipt number 34690028265 (elc),(ps) (Entered: 02/17/2017)
02/23/2017	<u>7</u>	** TEXT ONLY ORDER ** ORDER denying as moot petitioner's <u>6</u> Motion for Use of Release Account Funds to pay the \$5.00 filing fee. Signed by Magistrate Judge Peter A. Oppeneer on 2/21/2017. (elc),(ps) (Entered: 02/23/2017)
04/10/2017	<u>8</u>	Motion for Assistance in Recruiting Counsel by Petitioner Tyrone Davis Smith. (Attachments: # <u>1</u> Exhibit A – Health Service Request, # <u>2</u> Envelope) (elc),(ps) (Entered: 04/10/2017)
04/10/2017	<u>9</u>	Prisoner Trust Fund Account Statement by Petitioner Tyrone Davis Smith. (elc),(ps) (Entered: 04/10/2017)
04/19/2017	<u>10</u>	Letter from Petitioner Tyrone Davis Smith requesting forms to file civil rights action re: imminent danger claims. (Attachments: # <u>1</u> Envelope) (nln),(ps) (Entered: 04/19/2017)
04/19/2017	<u>11</u>	Clerk's office response to <u>10</u> letter from petitioner. (nln),(ps) (Entered: 04/21/2017)
05/22/2017	<u>12</u>	ORDER denying <u>1</u> Petition for Writ of Habeas Corpus; denying <u>8</u> Motion for Assistance in Recruiting Counsel. Petitioner is DENIED a certificate of appealability. The clerk of court is directed to enter judgment for respondent and close this case. Signed by District Judge Barbara B. Crabb on 5/22/2017. (jef),(ps) (Entered: 05/22/2017)
05/22/2017	<u>13</u>	JUDGMENT entered dismissing the case. Signed by Peter A. Oppeneer, Clerk of Court on 5/22/2017. (jef),(ps) (Entered: 05/22/2017)
06/01/2017	<u>14</u>	Motion for Reconsideration re <u>12</u> Order on Petition for Writ of Habeas Corpus by Petitioner Tyrone Davis Smith. (Attachments: # <u>1</u> Exhibit 1 – Pg. 2 of 09cv-725 order, # <u>2</u> Exhibit 2 – Transcript excerpts, # <u>3</u> Exhibit 3 – Pg. 1 of letter to Atty Erickson from S. Decorah, # <u>4</u> Exhibit 4 – Transcript excerpt, # <u>5</u> Exhibit 5 – Excerpt of Lexis case summary, # <u>6</u> Exhibit 6 – Letter from Atty. Erickson, # <u>7</u> Envelope) (jef),(ps) (Entered: 06/01/2017)
07/21/2017	<u>15</u>	ORDER denying <u>14</u> Motion for Reconsideration. Signed by District Judge Barbara B. Crabb on 7/21/2017. (jef),(ps) (Entered: 07/21/2017)
07/28/2017	<u>16</u>	NOTICE OF APPEAL by Petitioner Tyrone Davis Smith <u>15</u> Order on Motion for Reconsideration. In forma pauperis pending. Docketing Statement filed. (Attachments: # <u>1</u> Docketing Statement, # <u>2</u> Envelope) (jef),(ps) (Entered: 07/28/2017)
07/28/2017	<u>17</u>	Appeal Information Packet. (jef),(ps) (Entered: 07/28/2017)