

Case No: _____

IN THE UNITED STATES SUPREME COURT

Wisconsin ex rel. JOACHIM DRESSLER,
Petitioner,

vs.

Case No: 2018AP1030
Racine Case No: 1990CF584

RACINE CIRCUIT COURT,
Respondent.

**MOTION For EXTENSION OF TIME
To File PETITION FOR REVIEW**

Joachim Dressler, Petitioner *pro se* and *in forma pauperis*, respectfully moves this Court for an order that extends the time until March 8, 2019, to file a petition for certiorari review in this Court. S.C.R. 30.3. As grounds therefore, petitioner states:

1. Mr. Dressler is an inmate at Waupun Correctional Institution (WCI) in Waupun, Wisconsin. He is unable to complete his petition for review, and requires access to the WCI library for legal research, typing/word processor, and copying facilities that are only available at the prison library.
2. WCI inmates like Mr. Dressler that have prison jobs are not permitted to access the library during the day and may only request one-hour long evening library passes available two (or alternating) three hours per week. Inmates attending evening library often are unable to access a computer on a first-come-first-served basis and only seven computers are available and more than seven inmates seek their use.
3. WCI inmates may only request 3-hour daytime "court deadline" library access when they are within 45-days of a verified "court deadline" (Exhibit). Those three-hour passes are available on alternating days only. Thus, one week an inmate may receive a maximum of three

days of passes, and the next only two. The 45-days "deadline" is further reduced by any closing of the library due to staff shortage, training days, holiday, or other reasons beyond the inmate's control.

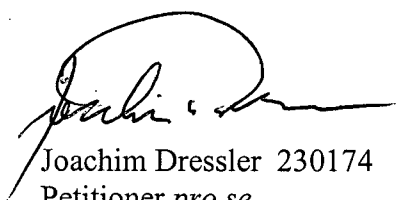
4. This Court permits certiorari review within 90-days of entry of a state court of last resort within 90-days after entry of a judgment. See S.C.R 13.1. The Wisconsin Supreme Court denied a "petition for review/Petition for a Writ of Mandamus and Stay" on Oct. 9, 2018. Therefore, Mr. Dressler's petition is due on January 7, 2019, and his first available "court deadline" library access was Nov. 23, 2018. His first *actual* library court deadline pass was on November 30, 2018 due to library closings.

5. Due to WCI policy for applying for a "court deadline" it takes up to two weeks from the time an inmate has a verified court deadline to when he is actually scheduled.

6. Mr. Dressler therefore respectfully requests that this court issue an order and grant an extension of time (of 60-days from January 7, 2018) until March 8, 2019 to file his petition for certiorari review in this court.

7. By my signature, under penalty of perjury, I certify the statement above to be true.

Respectfully submitted at Waupun, Wisconsin, December, 21 2018.



Joachim Dressler 230174
Petitioner *pro se*
Waupun Correctional Institution
P.O. Box 351
Waupun, Wisconsin 53963-0351

Exhibit: WCI Policy



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October 9, 2018

To:

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Joachim Dressler 230174
Waupun Corr. Inst.
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You are hereby notified that the Court has entered the following order:

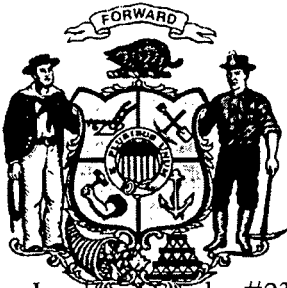
No. 2018AP1030-W

Dressler v. Racine County Circuit Court L.C.# 1990CF584

Petitioner-petitioner, Joachim Dressler, pro se, has filed a document captioned "Petition for Writ of Mandamus and Stay." It has been docketed as a petition for review of the court of appeals' June 12, 2018 decision and considered by this court.

IT IS ORDERED that the petition for review/"Petition for a Writ of Mandamus and Stay" is denied, without costs.

Sheila T. Reiff
Clerk of Supreme Court



Wisconsin Department of Corrections

Governor Scott Walker | Secretary Cathy A. Jess

Waupun Correctional Institution

11/29/2018

Joachim Dressler #230174
SWCH/O-39
Waupun Correctional Institution

Mr. Dressler:

I have reviewed your correspondence dated 11/21/2018 regarding Court Deadline Passes.

Currently, WCI 900.816.09 stipulates, **"Court deadline priority passes will be scheduled for inmates who are within forty-five (45) days of a verified court deadline and for whom priority access to the library is necessary for the completion of the deadline."** This facility procedure is an extension of DAI Policy 309.15.01, in particular Part III-Access to Law Library, Section, which states **"(1) Facilities shall specify the frequency and duration of law library access using the following criteria: (a) date of request, (b) existence of court deadline/s (c) need for equitable access for all inmates (d) number of available computers (e) number of access requests from inmates. (2) Ensure the law library is available for a reasonable number of hours to allow inmates time for research to meet court deadlines."**

A check of other DOC institutions shows that Dodge also quantifies court deadline priority to within 45 days, and procedures at GBCI, KMCI, CCI, FLCI, and SCI are more restrictive, stipulating **"Only inmates with verified court deadlines of 30 calendar days or less will be eligible for extra law library time."**

In order to provide **"equitable access for all inmates"** and **"ensure the law library is available for a reasonable number of hours"** it is simply more manageable and efficient to distribute access and remain cognizant of countless petitioner's deadlines across 45-day or 30-day periods compared to 90-day periods.

It should be noted that a petitioner working within the guidelines of a DOC institution does not lose any of the 90-day period permitted by the court; they may in fact still work on the case outside of the library, or at WCI during evening library or daytime library (without a court deadline pass). WCI 900.816.09 ensures that evening library allows for **"Workers/school students and those with court deadlines are given priority."** It is understood that the days may be potentially compromised by library closings, holidays, etc. beyond an inmate's control, however this is no different than an average citizen pursuing similar legal work outside of prison. Surely they too are affected by closures, holidays, work hours, etc. My understanding is that in some of these circumstances, extensions may be granted by the court.

Best,

Brett Helmer
Education Director

EX41317