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**Supreme Court of Wisconsin**

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December 7, 2021

**To:**

Hon. Eugene A. Gasiorkiewicz  
Circuit Court Judge  
Racine County Courthouse  
730 Wisconsin Ave.  
Racine, WI 53403

Samuel A. Christensen  
Clerk of Circuit Court  
Racine County Courthouse  
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P.O. Box 351  
Waupun, WI 53963-0351

You are hereby notified that the Court, by its Clerk and Commissioners, has entered the following order:

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No. 2019AP1023-CR      State v. Loga-Negru, L.C. #2014CF1626

On December 6, 2021, defendant-appellant-petitioner, Cristian M. Loga-Negru filed a motion asking this court to place his appeal on standby pending a "Motion for Relief Pending Appeal" filed in the Racine County circuit court. This court denied Loga-Negru's petition for review on November 17, 2021 and by order dated December 6, 2021, it denied a motion for reconsideration of the November 17, 2021 order. Remittitur occurred on November 19, 2021. Thus, there is no action pending in this court that could be stayed pending another court proceeding.

IT IS ORDERED that the motion is dismissed.

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Sheila T. Reiff  
Clerk of Supreme Court

**COURT OF APPEALS  
DECISION  
DATED AND FILED**

**July 14, 2021**

Sheila T. Reiff  
Clerk of Court of Appeals

**NOTICE**

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See WIS. STAT. § 808.10 and RULE 809.62.

**Appeal No. 2019AP1023-CR  
STATE OF WISCONSIN**

**Cir. Ct. No. 2014CF1626**

**IN COURT OF APPEALS  
DISTRICT II**

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**STATE OF WISCONSIN,**

**PLAINTIFF-RESPONDENT,**

**V.**

**CRISTIAN M. LOGA-NEGRU,**

**DEFENDANT-APPELLANT.**

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APPEAL from a judgment and orders of the circuit court for Racine County: EUGENE A. GASIORKIEWICZ, Judge. *Affirmed.*

Before Neubauer, C.J., Gundrum and Davis, JJ.

Per curiam opinions may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).

¶1 PER CURIAM. Cristian M. Loga-Negru appeals pro se from a judgment of conviction and orders denying his postconviction motions. He raises claims relating to competency, the right to counsel, an alleged *Brady*<sup>1</sup> violation, plea withdrawal, his trial counsel's performance, and alleged prosecutorial misconduct. For the reasons that follow, we affirm.

¶2 On November 19, 2014, Village of Mount Pleasant police responded to reports of screaming outside of a residence and a female being dragged into a car. Upon arrival, they were met by a man who informed them that the victim had been kidnapped by her estranged husband, Loga-Negru. The man explained that he was the victim's employer and that she had been staying with him because she "was involved in an abusive relationship and felt threatened for her life." Police observed drag marks on the ground and located a black, metal hatchet with strands of what appeared to be human hair and blood.

¶3 While at the scene, police were advised of an emergency call about a female with an ax or hatchet injury at a nearby hotel. Police went to the hotel and found Loga-Negru standing over a woman lying in the backseat of a vehicle. The woman—Loga-Negru's estranged wife—was covered in blood and appeared lifeless. She soon succumbed to her injuries, which included "multiple chop wounds and blunt force injuries." Loga-Negru asked police if they could give him the death penalty right then and shoot him.

¶4 Police executed a search warrant of Loga-Negru's hotel room and found a copy of a restraining order that the victim had obtained against him. In

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<sup>1</sup> See *Brady v. Maryland*, 373 U.S. 83 (1963).

addition, they found a receipt showing that Loga-Negru had attempted to purchase a pistol the day before.

¶5 Also present at the hotel was Loga-Negru's father, Marius. Marius told police that he had flown into the country three days earlier from Romania where he and his son are from. He said that his son had been having "marital problems" and that law enforcement recently confiscated his son's gun due to a domestic incident. Marius said that his son had left the hotel and returned covered in blood. When Marius asked what had happened, Loga-Negru replied that he had killed his estranged wife.

¶6 On November 21, 2014, the State filed a complaint charging Loga-Negru with first-degree intentional homicide, mayhem, and kidnapping. That same day, Loga-Negru made an initial appearance with Attorney Patrick Cafferty, who was covering intake for the State Public Defender. Cafferty requested that Loga-Negru undergo a competency evaluation, explaining, "There does appear to be some evidence of recent interaction with mental health professionals. And based on my conversation with him, I think ... there are competency issues that need to be addressed."

¶7 After a finding of probable cause for the crimes, the circuit court issued an order for a competency evaluation. An appointed psychologist examined Loga-Negru and filed a report on December 10, 2014. In it, he concluded that while Loga-Negru suffered from depression, he was competent to stand trial and "demonstrated the substantial mental capacity to understand the legal proceedings and assist in his defense."

¶8 The next day, the circuit court held a status on the case. The State noted that Loga-Negru did not qualify for State Public Defender representation

and had not retained counsel. Loga-Negru indicated that he had spoken with an attorney and requested a three-week adjournment. The court denied the request, reasoning that Loga-Negru had had ample time to seek counsel. It further noted that Loga-Negru held two law degrees himself—one from Romania and one from the John Marshall School of Law. Accordingly, it set the matter over for the following week.

¶9 The next week, the circuit court held another status on the case. Again, Loga-Negru appeared without counsel, informing the court that he would soon secure the funds to hire one. The court inquired whether Loga-Negru challenged his competency to stand trial. Loga-Negru answered, “No. I believe that I am competent to stand trial.” The State also did not challenge Loga-Negru’s competency. The court made a record, noting that at the last appearance Loga-Negru’s “demeanor was totally appropriate,” he had “responded to the Court’s questions appropriately,” and he was “on track with the Court not only physically, but emotionally and intelligently.” Based on its observations and the psychologist’s uncontested report, the court found Loga-Negru competent to proceed.

¶10 On December 30, 2014, Cafferty filed a notice of appearance indicating that Loga-Negru had retained him as counsel. He also filed a demand for discovery and waiver of the preliminary hearing. The State, in turn, filed an information, charging Loga-Negru with the same crimes as in the initial complaint.

¶11 Loga-Negru entered a plea of not guilty by reason of mental disease or defect (NGI). He subsequently reached an agreement with the State where he would plead no contest to the charge of first-degree intentional homicide in the

first/guilt phase of the NGI trial. In exchange, the State would dismiss the mayhem and kidnapping charges. The State filed an amended information to reflect this agreement.

¶12 Upon entry of Loga-Negru's no contest plea, the matter proceeded to the second/responsibility phase of the NGI trial, which was held before the circuit court in July 2016. The parties presented competing experts regarding Loga-Negru's ability to conform his conduct to the requirements of law. Ultimately, the court found the State's expert more credible and concluded that Loga-Negru had "not met his burden to support his NGI plea." It then sentenced him to life imprisonment with the possibility of extended supervision after thirty years.

¶13 After sentencing, Loga-Negru elected to proceed pro se and filed several postconviction motions for relief. He argued, among other things, that (1) the circuit court erred in determining his competency to stand trial; (2) he was improperly deprived of counsel at the court's competency determination; (3) the State committed a *Brady* violation when it failed to disclose certain evidence; (4) he is entitled to plea withdrawal due to a breach of his plea agreement; (5) his trial counsel was ineffective; and (6) the prosecutor engaged in misconduct. Following multiple hearings, the circuit court denied the motions in two orders. This appeal follows.

¶14 On appeal, Loga-Negru first contends that the circuit court erred in determining his competency to stand trial. He argues that the court wrongly found him competent to proceed and suggests that he only claimed he was competent due to pressure applied to his father.

¶15 A circuit court's competency determination is functionally a factual one, and we review it under the clearly erroneous standard of review. *State v.*

*Smith*, 2016 WI 23, ¶26, 367 Wis. 2d 483, 878 N.W.2d 135. Therefore, we will uphold the competency determination unless it is totally unsupported by facts in the record. *Id.*, ¶29.

¶16 Here, we are satisfied that the circuit court properly determined Loga-Negru's competency to proceed. The court ordered a competency evaluation after Loga-Negru's counsel raised the issue at the initial appearance. That evaluation concluded that Loga-Negru "demonstrated the substantial mental capacity to understand the legal proceedings and assist in his defense." Neither party contested this conclusion, and it was fully supported by the court's observations. Under these circumstances, we cannot say that the competency determination is totally unsupported by facts in the record.

¶17 By contrast, there is no support for Loga-Negru's assertion that he only claimed he was competent due to pressure applied to his father. As noted by the State, this is especially damning given the fact that Loga-Negru called his father to testify at the postconviction hearings but never asked him about the alleged pressure. Accordingly, we decline to discuss the matter further. *See State v. Williams*, 230 Wis. 2d 50, 55, 601 N.W.2d 838 (Ct. App. 1999) ("A party who has the burden of proof cannot leave the court in an evidentiary vacuum.").

¶18 Loga-Negru next contends that he was improperly deprived of counsel at the circuit court's competency determination. Again, at the time of the determination, Loga-Negru did not qualify for State Public Defender representation and had not retained counsel.

¶19 The absence of counsel at a critical stage of the criminal process requires automatic reversal only when "the deprivation of the right to counsel affected—and contaminated—the entire criminal proceeding." *Satterwhite v.*

*Texas*, 486 U.S. 249, 257 (1988). Otherwise, a harmless error analysis may be employed. *Id.*

¶20 We are not persuaded that the absence of counsel during the competency determination affected and contaminated Loga-Negru's case. The issue of competency can be raised at any time in a criminal proceeding. *See* WIS. STAT. § 971.14(1r)(a) (2019-20).<sup>2</sup> Thus, Loga-Negru could have re-raised the issue after retaining Cafferty as counsel but failed to do so. At any rate, Cafferty denied that competency was still a concern at the change of plea hearing. There, he told the court, "[W]e are of the belief that at this point in time [Loga-Negru] is competent. Competency was previously raised. Obviously the NGI is pending before the Court at this point, but his current state is such that ... I have been able to communicate with him without issue." For these reasons, we conclude that the absence of counsel at the competency determination, if erroneous, was harmless.

¶21 Loga-Negru next contends that the State committed a *Brady* violation when it failed to disclose certain evidence. In particular, he complains that he did not receive recordings of the 911 calls that alerted police to the victim's injuries.<sup>3</sup>

¶22 Criminal defendants have a due process right to favorable evidence in the State's possession. *Brady v. Maryland*, 373 U.S. 83, 87 (1963). When

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<sup>2</sup> All references to the Wisconsin Statutes are to the 2019-20 version.

<sup>3</sup> Loga-Negru also complains that he did not receive a photo of the victim and a video of the crime scene at the hotel. Because Loga-Negru did not raise these complaints in the circuit court, he cannot raise them now. *See State v. Huebner*, 2000 WI 59, ¶10, 235 Wis. 2d 486, 611 N.W.2d 727. Even if we were to look past this forfeiture, Loga-Negru has not explained how such evidence was favorable and material to his case.



reviewing a *Brady* claim on appeal, we accept the circuit court's factual findings unless they are clearly erroneous, but we determine independently whether a due process violation has occurred. *State v. Wayerski*, 2019 WI 11, ¶35, 385 Wis. 2d 344, 922 N.W.2d 468.

¶23 To establish a *Brady* violation, a defendant must prove that: (1) the evidence at issue is favorable to the accused; (2) the evidence was suppressed by the State, either willfully or inadvertently; and (3) the evidence is material. *Wayerski*, 385 Wis. 2d 344, ¶35. Evidence is material only if there is a reasonable probability that, had it been disclosed to the defense, the result of the proceeding would have been different. *State v. Harris*, 2004 WI 64, ¶14, 272 Wis. 2d 80, 680 N.W.2d 737.

¶24 In this case, there are multiple problems with Loga-Negru's *Brady* claim. To begin, based on the statement of the prosecutor, the circuit court found that Cafferty was provided the recordings at issue in March 2015—well before the case was resolved. Loga-Negru has not shown that this finding is clearly erroneous. Moreover, Loga-Negru has not explained how the recordings were favorable and material to his case. Again, by virtue of his pleas, Loga-Negru conceded guilt and was only contesting mental responsibility.

¶25 Loga-Negru next contends that he is entitled to plea withdrawal due to a breach of his plea agreement. He accuses the State of misstating the terms of the agreement because it did not specifically mention dismissal of the mayhem and kidnapping charges.

¶26 A defendant who seeks to withdraw a plea after sentencing must prove by clear and convincing evidence that withdrawal is necessary to avoid a manifest injustice. See *State v. Taylor*, 2013 WI 34, ¶24, 347 Wis. 2d 30, 829

N.W.2d 482. One way to show a manifest injustice is to demonstrate a material and substantial breach of a plea agreement. *State v. Bangert*, 131 Wis. 2d 246, 289, 389 N.W.2d 12 (1986).

¶27 Loga-Negru has not come close to demonstrating a material and substantial breach of his plea agreement. As noted, the State filed an amended information to reflect its agreement with Loga-Negru. That agreement omitted the mayhem and kidnapping charges, thereby effectively dismissing them from the case. This caused the postconviction court to tell Loga-Negru, “Whatever plea agreement you thought you had was indeed honored by the State. You did receive, sir, the benefit of every bargain that was made.” We agree.

¶28 Loga-Negru next contends that his trial counsel was ineffective. He asserts that counsel “must have” provided ineffective assistance of counsel based on a litany of complaints concerning counsel’s “failure to investigate, to challenge the prosecution on various grounds, research evidence, [and] utilize witnesses.”<sup>4</sup>

¶29 To the extent that Loga-Negru is complaining about trial counsel’s pre-plea performance, he has forfeited the right to do so. That is because his no contest plea forfeited all nonjurisdictional defects, including constitutional claims. *See State v. Kelty*, 2006 WI 101, ¶18 & n.11, 294 Wis. 2d 62, 716 N.W.2d 886.<sup>5</sup> In any event, all of Loga-Negru’s complaints about counsel’s performance suffer

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<sup>4</sup> Loga-Negru also appears to fault trial counsel for not recognizing the alleged *Brady* violation and breach of the plea agreement. We have already explained why those issues are without merit and will not discuss them further.

<sup>5</sup> In addition, at the plea hearing, Loga-Negru expressed satisfaction with the representation that trial counsel had provided up to that point. He cannot take an inconsistent position now. *See State v. Michels*, 141 Wis. 2d 81, 97-98, 414 N.W.2d 311 (Ct. App. 1987).

from the same two flaws: they are conclusory and undeveloped. Accordingly, we decline to address them. See *State v. Pettit*, 171 Wis. 2d 627, 646, 492 N.W.2d 633 (Ct. App. 1992).

¶30 Finally, Loga-Negru contends that the prosecutor engaged in misconduct. His argument is difficult to follow; however, he appears to be accusing the State of bias, which allegedly manifested itself in plea negotiations and the State's handling of expert witnesses.

¶31 Whether prosecutorial misconduct occurred is left to the circuit court's discretion. *State v. Lettice*, 205 Wis. 2d 347, 352, 556 N.W.2d 376 (Ct. App. 1996). At the last postconviction hearing, the circuit court expressly rejected Loga-Negru's allegation of bias against the State. Nothing in the record or in Loga-Negru's briefs persuades us that this was an erroneous exercise of discretion.<sup>6</sup>

*By the Court.*—Judgment and orders affirmed.

This opinion will not be published. See WIS. STAT. RULE 809.23(1)(b)5.

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<sup>6</sup> To the extent we have not addressed an argument raised by Loga-Negru on appeal, the argument is deemed rejected. See *State v. Waste Mgmt. of Wis., Inc.*, 81 Wis. 2d 555, 564, 261 N.W.2d 147 (1978).

[case search](#)[public domain citation search](#)[citation of official publishers search](#)[filed documents](#)[WCCA](#)

## State v. Cristian M. Loga-Negru

### Appeal Number 2019AP001023 - CR

Court of Appeals District 2

#### CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	CA	01-27-2022		Opinion Ordered Unpublished
Comment: Opinion Ordered Unpublished - Order				
OCCD	CA	12-13-2021		Fee Paid
Comment: Receipt No: 21R 002768				
OCCD	SC	12-10-2021		Letter/Correspondence
Comment: Filed by Appellant; Request for Copies of Reply Brief and Motion for Reconsideration of Denial of F sent for copies.; 12/13/21 - check received and copies sent				
OCCD	SC	12-06-2021		Motion for Stay
Filed By: (Loga-Negru, Cristian) Submit Date: 12-6-2021 Decision: (M) Dismiss Decision Date: 12-7-2021 ORD that the motion is dismissed. Comment: Motion for Stay Pending Circuit Court Motion 12/7/21 Court Order				
OCCD	SC	12-03-2021		Motion for Recons. of denial of PRE
Filed By: (Loga-Negru, Cristian) Submit Date: 12-3-2021 Decision: (M) Dismiss Decision Date: 12-6-2021 that the motion is dismissed. No costs. Comment: Motion for Recons. of denial of PRE; 12/8/21 - typed copy filed				
OCCD	CA	11-19-2021		Letter/Correspondence
Comment: Filed by Appellant; Letter Requesting Copy of PRE Decision be Sent by email to Additional Individu				
OCCD	CA	11-19-2021		Fee Paid
Comment: Receipt No: 21R 002630				
OCCD	CA	11-19-2021		Remittitur

OCCD	CA	11-18-2021	Other Papers
Comment: Check received for copy of PRE w/corrected pages; 11/19/21 - copy sent			
OCCD	SC	11-12-2021	Letter/Correspondence
Comment: Filed by Appellant; Letter Advising Check Sent for Copy Fee for Copy of Corrected/Amended PRE			
OCCD	SC	11-10-2021	Letter/Correspondence
Comment: Filed by Appellant; Letter Indicating Last Page of PRE does Not Need Corrections and check will be 10/13/21 w/corrections to pages 24 and 29			
OCCD	SC	11-08-2021	Motion for Miscellaneous Relief
Filed By: (Loga-Negru, Cristian) Submit Date: 11-8-2021 Decision: (M) Dismiss Decision Date: 11-17-2021 ORD that the petition for review and all accompanying requests for relief are denied, without costs. Comment: Additional Motion to Correct the PRE; and advising check will be sent for copy of new PRE w/pages updated			
OCCD	SC	11-02-2021	Motion for Miscellaneous Relief
Filed By: (Loga-Negru, Cristian) Submit Date: 11-15-2021 Decision: (M) Dismiss Decision Date: 11-17-2021 ORD that the petition for review and all accompanying requests for relief are denied, without costs. Comment: Motion to Attach Amendment to Petition for Review			
OCCD	CA	11-01-2021	Other Papers
Comment: Check for copy fee of petition filed 10/19/21 received; Copy of PRE forwarded to appellant by mail			
OCCD	CA	11-01-2021	Fee Paid
Comment: Receipt No: 21R 002498			
OCCD	SC	10-27-2021	Motion for Miscellaneous Relief
Filed By: (Loga-Negru, Cristian) Submit Date: 10-27-2021 Decision: (M) Dismiss Decision Date: 11-17-2021 ORD that the petition for review and all accompanying requests for relief are denied, without costs. Comment: Motion to correct four pages of the petitioner's brief; 11/1/21 - additional copy of corrected pages			
OCCD	SC	10-25-2021	Motion for Miscellaneous Relief
Filed By: (Loga-Negru, Cristian) Submit Date: 10-25-2021 Decision: (M) Dismiss Decision Date: 11-17-2021 ORD that the petition for review and all accompanying requests for relief are denied, without costs. Comment: Request to Correct PRE Filed 10/13/21			
OCCD	SC	10-25-2021	Letter/Correspondence
Comment: Filed by Appellant; Request for Copy of PRE Dated on 10/13/21 and advising check is being sent.			

OCCD	SC	10-19-2021	Certificate of Filing by Mail
Comment: Certificate of Filing by Mail re Corrected PRE; 10/19/21 - additional copy filed			
OCCD	SC	10-18-2021	Letter/Correspondence
Comment: Filed by Appellant; Letter Requesting Confirmation of Receipt of Documents Dated 10/13/21 and 1			
OCCD	CA	10-18-2021	Other Papers
Comment: Check received for copy fee for copy of PRE; 10/18/21 - copy of PRE filed 9/13/21 sent to appellant			
OCCD	SC	10-18-2021	Fee Paid
Comment: Receipt No: 21R 002409			
OCCD	SC	10-12-2021	Letter/Correspondence
Comment: Filed by Appellant; Letter Advising Copy Fee will be Sent for Req. for Copy of PRE			
OCCD	SC	10-04-2021	Motion for Miscellaneous Relief
Filed By: (Loga-Negru, Cristian) Submit Date: 10-4-2021 Decision: (M) Dismiss Decision Date: 11-17-2021 ORD that the petition for review and all accompanying requests for relief are denied, without costs. Motion Response Filed By: (Loga-Negru, Cristian) Submit Date: 10-12-2021 Comment: 2nd MXT to file Corrected PRE; 10/12/21 - Letter Advising Appellant Will Not File Corrected PRE fil			
OCCD	CA	09-30-2021	Rejected Electronic Document
Comment: Efiled Documents; The various efiled documents are rejected. The Supreme Court is not an efilng c documents must be filed by traditional methods (paper copies of the efiled documents have not been receive allowed to be efiled (petition for review, responses to petitions for review, and briefs).			
OCCD	CA	09-30-2021	Rejected Electronic Document
Comment: Efiled Documents; The various efiled documents are rejected. The Supreme Court is not an efilng c documents must be filed by traditional methods (paper copies of the efiled documents have not been receive allowed to be efiled (petition for review, responses to petitions for review, and briefs).			
OCCD	CA	09-30-2021	Rejected Electronic Document
Comment: Efiled Documents; The various efiled documents are rejected. The Supreme Court is not an efilng c documents must be filed by traditional methods (paper copies of the efiled documents have not been receive allowed to be efiled (petition for review, responses to petitions for review, and briefs).			
OCCD	CA	09-30-2021	Rejected Electronic Document
Comment: Efiled Documents; The various efiled documents are rejected. The Supreme Court is not an efilng c documents must be filed by traditional methods (paper copies of the efiled documents have not been receive allowed to be efiled (petition for review, responses to petitions for review, and briefs).			
OCCD	CA	09-30-2021	Rejected Electronic Document
Comment: Efiled Documents; The various efiled documents are rejected. The Supreme Court is not an efilng c documents must be filed by traditional methods (paper copies of the efiled documents have not been receive allowed to be efiled (petition for review, responses to petitions for review, and briefs).			









Comment: Efiled Documents; The various efiled documents are rejected. The Supreme Court is not an efilng c documents must be filed by traditional methods (paper copies of the efiled documents have not been receive allowed to be efiled (petition for review, responses to petitions for review, and briefs).

OCCD CA 09-30-2021

Rejected Electronic Document

Comment: Efiled Documents; The various efiled documents are rejected. The Supreme Court is not an efilng c documents must be filed by traditional methods (paper copies of the efiled documents have not been receive allowed to be efiled (petition for review, responses to petitions for review, and briefs).

OCCD CA 09-30-2021

Rejected Electronic Document

Comment: Efiled Documents; The various efiled documents are rejected. The Supreme Court is not an efilng c documents must be filed by traditional methods (paper copies of the efiled documents have not been receive allowed to be efiled (petition for review, responses to petitions for review, and briefs).

OCCD CA 09-30-2021

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OCCD CA 09-30-2021

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Comment: Efiled Documents; The various efiled documents are rejected. The Supreme Court is not an efilng c documents must be filed by traditional methods (paper copies of the efiled documents have not been receive allowed to be efiled (petition for review, responses to petitions for review, and briefs).

OCCD CA 09-30-2021

Rejected Electronic Document

Comment: Efiled Documents; The various efiled documents are rejected. The Supreme Court is not an efilng c documents must be filed by traditional methods (paper copies of the efiled documents have not been receive allowed to be efiled (petition for review, responses to petitions for review, and briefs).

OCCD CA 09-30-2021

Rejected Electronic Document

Comment: Efiled Documents; The various efiled documents are rejected. The Supreme Court is not an efilng c documents must be filed by traditional methods (paper copies of the efiled documents have not been receive allowed to be efiled (petition for review, responses to petitions for review, and briefs).

OCCD SC 09-27-2021

Letter/Correspondence

Comment: Filed by Appellant; Letter Advising Corrected PRE Subsumes Previous PREs and a Federal Case has

OCCD SC 09-24-2021

Letter/Correspondence

Comment: Filed by appellant; Letter Withdrawing MXT to file Corrected PRE

OCCD CA 09-20-2021

Response

Comment: To Appellant; Response to request for copy of statement in support of PRE found in motion filed 9,

OCCD SC 09-20-2021

Motion for Miscellaneous Relief

Filed By: (Loga-Negru, Cristian)

Submit Date: 9-20-2021

Decision: (G) Grant

Decision Date: 9-22-2021

ORD that the motion is granted. The defendant-appellant-petitioner may file a corrected petition for review o

Comment: Motion for Extension of Time to File Corrected PRE 9/22/21 Court Order

OCCD SC	09-17-2021	Letter/Correspondence
Comment: Filed by Appellant; Asking for Status; 9/17/21 - response sent		
OCCD SC	09-13-2021	Certificate of Filing by Mail
Comment: Certificate of Filing by Mail re 2nd Amended PRE		
OCCD SC	09-07-2021	Letter/Correspondence
Comment: Filed by Appellant; Letter Requesting Status of PRE; 9/7/21 - Response sent		
OCCD CA	08-20-2021	Certificate of Filing by Mail
Comment: 08/20/21 letter will be mailed via USPS Certificate of service		
OCCD SC	08-20-2021	Letter/Correspondence
Comment: From AG Probst; The State will not file a formal response to the petition for review unless ordered to petition for review		
OCCD SC	08-19-2021	Motion for Miscellaneous Relief
Filed By: (Loga-Negru, Cristian) Submit Date: 8-23-2021 Decision: (M) Dismiss Decision Date: 11-17-2021 ORD that the petition for review and all accompanying requests for relief are denied, without costs. Comment: Motion for oral argument		
OCCD SC	08-16-2021	Certificate of Filing by Mail
Comment: Certificate of Filing by Mail - Amended PRE		
OCCD SC	08-16-2021	Indig. Forms/Motion filed by pro se
Filed By: (Loga-Negru, Cristian) Submit Date: 8-16-2021 Decision: (G) Grant Decision Date: 8-16-2021 ORD that the filing fee is waived. Comment: Petition for Waiver of Filing Fee		
OCCD SC	08-13-2021	Fee Waived
Comment: Fee waived in COA		
OCCD SC	08-13-2021	Certificate of Filing by Mail
Comment: Certificate of Filing by Mail re PRE		
OCCD SC	08-13-2021	Letter/Correspondence
Comment: Filed by appellant; advising if a PRE is received from an attorney, it should be voided, the PRE will be voided by appellant		
OCCD SC	08-13-2021	Petition for Review <u>Additional Corrected Petition for Review with</u> <u>Corrected Petition for Review</u> <u>2nd Amended Petition for Review</u> <u>Amended Petition for Review</u> <u>Petition for Review</u>

Filed By: (Loga-Negru, Cristian)

Submit Date: 8-23-2021

Decision: (D) Deny

Decision Date: 11-17-2021

ORD that the petition for review and all accompanying requests for relief are denied, without costs.

Motion Response

Filed By: (Loga-Negru, Cristian)

Submit Date: 8-23-2021

Motion Response

Filed By: (Loga-Negru, Cristian)

Submit Date: 9-13-2021

Motion Response

Filed By: (Loga-Negru, Cristian)

Submit Date: 10-19-2021

Motion Response

Filed By: (Loga-Negru, Cristian)

Submit Date: 11-3-2021

Comment: 8/16/21 - Amended Petition for Review filed; 9/13/21 - 2nd Amended Petition for Review filed; 10/ duplicate copy of corrected PRE filed; 11/3/21 - Additional Corrected Petition for Review with corrected page:

OCCD	CA	07-14-2021	<u>Opinion/Decision</u>
Judge Panel: Davis, Gundrum, Neubauer			
Opinion: Per Curiam			
Decision: Affirmed Pages: 11			
Order Text: Judgment and orders affirmed			
Comment: 7/14/21 Decision			
OCCD	CA	01-21-2021	Letter/Correspondence
Comment: Filed by Appellant; Letter Clarifying Letter Filed 1/20/21			
OCCD	CA	01-20-2021	Letter/Correspondence
Comment: Filed by Appellant; Letter re Universal Declaration of Human Rights			
OCCD	CA	12-17-2020	Submitted on Briefs
OCCD	CA	12-07-2020	Letter/Correspondence
Comment: Filed by Appellant; Letter in in response to 12/1/20 response			
OCCD	CA	12-01-2020	Letter/Correspondence
Comment: Filed by Appellant; asking for status of case.; 12/1/20 - response sent.			
OCCD	CA	08-19-2020	Briefs Received At State Law Library
OCCD	CA	08-14-2020	Certificate of Filing by Mail
Comment: Certificate of Filing by Mail re BRS; BRS mailed 7/2/20			
OCCD	CA	08-14-2020	Record and Briefs Sent to District 2
OCCD	CA	08-12-2020	Certificate of Filing by Mail
Comment: RE: Reply Brief, Mailed 8-8-2020, Copies (5). Certificate of Filing by Mail			

OCCD CA 08-12-2020

Reply Brief  
Reply Brief

Filed By: (Loga-Negru, Cristian)

Comment: Reply Brief Acknowledgement of Filing of Reply Brief Cvr. Ltr for Reply Brief

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OCCD CA 07-15-2020

Motion to Extend Time

Filed By: (Loga-Negru, Cristian)

Submit Date: 7-15-2020

Decision: (G) Grant

Decision Date: 7-16-2020

ORD that the time for the appellant to file his reply brief is extended to August 20, 2020. See WIS. STAT. RULE

See BRY event due on 8-20-2020

Comment: Motion to Extend Time to file BRY; 7/16/20 Court Order

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OCCD CA 07-06-2020

Brief of Respondent(s)  
Brief of Respondent

Filed By: Robert Probst

Comment: Acknowledgement of Filing of Brief of Respondent Cover Page - Brief of Respondent

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OCCD CA 06-22-2020

Certificate of Filing by Mail

Comment: Certificate of Filing by Mail re MXT to file BRS; motion mailed 6/18/20

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OCCD CA 06-22-2020

Motion to Extend Time

Filed By: Robert Probst

Submit Date: 6-22-2020

Decision: (G) Grant

Decision Date: 6-23-2020

ORD that the time for the respondent to file its brief is extended to July 13, 2020. See WIS. STAT. RULE 809.82

See BRS event due on 7-13-2020

Comment: 2nd Motion to Extend Time to file BRS Order 6-23-20

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OCCD CA 06-03-2020

Interim Motion for Reconsideration

Filed By: (Loga-Negru, Cristian)

Submit Date: 6-3-2020

Decision: (D) Deny

Decision Date: 6-9-2020

ORD that the construed motion to reconsider this courts May 29, 2020 order is denied.

Comment: Interim Motion for Reconsideration of 5/28/20 CTO Order 6-9-20

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OCCD CA 05-28-2020

Motion to Extend Time

Filed By: Robert Probst

Submit Date: 5-28-2020

Decision: (G) Grant

Decision Date: 5-29-2020

ORD that the time for the respondent to file a respondent's brief is extended to June 26, 2020. See WIS. STAT

See BRS event due on 6-26-2020

Comment: Motion to Extend Time to file BRS; Filed with COM indicating motion mailed 5/22/20 Order 5-29-20

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OCCD CA 03-16-2020

Brief & Appx of Appellant(s)  
Brief of Appellant(s)

Filed By: (Loga-Negru, Cristian)

Comment: Separate Appendix Brief of Appellant(s) Appendix to Brief of Appellant(s) Cvr. Ltr, COM, & ACK of F

OCCD CA	02-27-2020	Motion to Waive Filing Requirements
<p>Filed By: (Loga-Negru, Cristian)  Submit Date: 2-27-2020  Decision: (D) Deny  Decision Date: 3-3-2020  ORD that the motion to waive the required number of copies of the brief and appendix is denied. The appellar brief and appendix and serve one copy on the respondent.  FRO that the time for the appellant to file his brief and appendix is extended to March 30, 2020. See Wis. Stat.  Comment: request to file 3 copies of brief; filed with additional petition for fee waiver Order 3-3-20 Motion to</p>		
OCCD CA	01-24-2020	Letter/Correspondence
<p>Comment: 2 letters filed by appellant indicating he will be sending check in the amount of \$100 and requests I sent to him. Letter from Appellant</p>		
OCCD CA	01-22-2020	Motion for Miscellaneous Relief
<p>Filed By: (Loga-Negru, Cristian)  Submit Date: 1-22-2020  Decision: (O) Other  Decision Date: 2-3-2020  ORD that the time for the appellant to file his appellant's brief is extended to March 9, 2020. See Wis. Stat. Ru  FRO that the request to accept a "two-step submission" of the appellant's brief is denied.  Comment: MXT to file BAP and request to accept "two-step" submission of brief; 1/24/20 - additional copy of i  Motion for Miscellaneous Relief</p>		
OCCD CA	12-20-2019	Fee Paid
<p>Comment: Receipt No: 19R 003261</p>		
OCCD CA	12-20-2019	Other Papers
<p>Comment: Filed by Appellant; request for copies of record documents (pages 1-3, 90-110, and 222 of record it  sent; 12/23/19 - additional copy of request received Addtl Letter from Appellant Ltr from Appellant RE - Copie</p>		
OCCD CA	12-09-2019	Motion to Extend Time
<p>Filed By: (Loga-Negru, Cristian)  Submit Date: 12-9-2019  Decision: (G) Grant  Decision Date: 12-10-2019  ORD that the time for the appellant to file an appellant's brief is extended to January 30, 2020. See Wis. Stat.  See BAP event due on 1-30-2020  Comment: Order 12-10-19 Motion to Extend Time</p>		
OCCD CA	11-06-2019	Motion to Take Judicial Notice
<p>Filed By: (Loga-Negru, Cristian)  Submit Date: 11-6-2019  Decision: (D) Deny  Decision Date: 11-12-2019  ORD that the appellant's motion to take judicial notice is denied.  Comment: Order 11-12-19 Motion to Take Judicial Notice</p>		
OCCD CA	09-19-2019	Attorney Change
<p>Comment: AAG Probst for State per notice of appearance. Attorney Change - AAG Probst</p>		
OCCD CA	09-12-2019	Motion for Summary Disposition

Filed By: (Loga-Negru, Cristian)

Submit Date: 10-1-2019

Decision: (D) Deny

Decision Date: 11-5-2019

ORD that the appellant's motion for summary reversal is denied.

FRO that the appellant's brief shall be filed within forty days of the date of this order.

Comment: Order 11-5-19 Motion for Summary Disposition

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OCCD CA 09-03-2019

Motion for Miscellaneous Relief

Filed By: (Loga-Negru, Cristian)

Submit Date: 9-3-2019

Decision: (G) Grant

Decision Date: 9-9-2019

ORD that the motion for leave to file an oversized brief is denied.

Comment: Request for due date of appellant's brief Order 9-9-19 Motion for Miscellaneous Relief

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OCCD CA 08-30-2019

Motion to Waive Filing Requirements

Filed By: (Loga-Negru, Cristian)

Submit Date: 8-30-2019

Decision: (D) Deny

Decision Date: 9-9-2019

ORD that the motion for leave to file an oversized brief is denied.

Comment: Motion to address prototypical bias of an expert witness and file an enlarged brief Motion to Waive

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OCCD CA 08-27-2019

Court Order

ORD that the deadline for the trial court to decide the postconviction motion is extended to May 20, 2019.

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OCCD CA 08-21-2019

Sealed Documents

Comment: #3, #13, #29

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OCCD CA 08-21-2019

Record

Comment: 1-4 to 97-77, ELECTRONICALLY FILED Notif. Filing of CC Record

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OCCD CA 08-05-2019

Other Papers

Comment: Filed by appellant; copy of "Successive Motion to Correct the Record on Appeal" filed in the circuit Supplement Record

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OCCD CA 08-02-2019

Letter/Correspondence

Comment: Filed by appellant; regarding circuit court record stating that record did not contain 05/16/19 trans RE - Transcripts

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OCCD CA 07-15-2019

Letter/Correspondence

Comment: Filed by appellant; regarding circuit court record and advising he filed a motion to supplement the record. Also requesting copy of circuit court record index.; Amended index (with transcript listed) sent to appellant by appellant from Appellant

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OCCD CA 07-11-2019

Other Papers

Comment: From Appellant; copy of motion to supplement the record filed in the circuit court. Letter from Appellant

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OCCD CA 07-10-2019

Court Reporter's Statement-Trans.

Court Reporter Name: (Johnson, Leslie)

Comment: NO CRS FILED; transcript filed 7/8/19

OCCD CA	07-08-2019	Transcript filed in Circuit Court
OCCD CA	06-18-2019 Filed By: Loga-Negru, Cristian Status: Ordered Comment: 6/28/19 - copy received by mail. Mailed Copy of Statement on Transcript	Statement on Transcript
OCCD CA	06-17-2019 Comment: Filed by appellant; advising he will try to get petition for fee waiver notarized today and will be sent reporter, then he will send it to us once he receives it back. Letter from Appellant RE - Notarized INF	Letter/Correspondence
OCCD CA	06-06-2019 Comment: Notif. Sent-Filing of NAP & Ct. Record	Notif. Sent-Filing of NAP & Ct. Record
OCCD CA	06-06-2019	RAP and Guide Sent
OCCD CA	06-06-2019 Comment: Transmittal Notice of Appeal & Court Record	Notice of Appeal & Court Record
OCCD CA	06-06-2019	X Transfer
OCCD CA	06-03-2019 Filed By: (Loga-Negru, Cristian) Submit Date: 6-20-2019 Decision: (G) Grant Decision Date: 6-20-2019 ORD the filing fee is waived. Motion Response Filed By: (Loga-Negru, Cristian) Submit Date: 6-20-2019 Comment: unnotarized petition filed; 6/6/19 - letter sent requesting notarized petition Indig. Forms, Determining Waiving Fees Ltr from Clerk Requesting Notarized INF Petition Indig. Forms/Motion filed by pro se	Indig. Forms/Motion filed by pro se
OCCD CA	06-03-2019 Comment: Incomplete petition for waiver of fees	Other Papers
OCCD CA	06-03-2019 Comment: Copy of Notice of Appeal	Notice of Appeal filed in Cir. Ct.
OCCD CA	05-20-2019	Order of Circuit Court
OCCD CA	01-14-2019 Filed By: (Loga-Negru, Cristian) Submit Date: 1-14-2019 Decision: (G) Grant Decision Date: 1-16-2019 ORD that the time for deciding the defendant's postconviction motion is extended to March 1, 2019. See Wis. (2015-16). Comment: Order 1-16-19 MXT to Decide Postconviction Motion	MXT to Decide Postconviction Motion



OCCD CA 01-08-2019

RAP and Guide Sent

OCCD CA 01-02-2019

Miscellaneous Motion on XX-Case

Filed By: (Loga-Negru, Cristian)

Submit Date: 1-2-2019

Decision: (O) Other

Decision Date: 1-8-2019

ORD that no further action is taken on the defendant's January 2, 2019 letter.

FRO that on the court's own motion, the time for filing a Wis. Stat. Rule 809.30 postconviction motion is extended to November 23, 2018.

Comment: Order 1-8-19 Miscellaneous Motion on XX-Case

OCCD CA 10-23-2018

MXT to file NAP/PCM

Filed By: (Loga-Negru, Cristian)

Submit Date: 10-23-2018

Decision: (G) Grant

Decision Date: 10-24-2018

ORD that the time for filing a Wis. Stat. Rule 809.30 postconviction motion is extended to November 23, 2018. 809.82(2)(a).

Comment: Order 10-24-18 MXT to file NAP/PCM

OCCD CA 10-15-2018

MXT to file NAP/PCM

Filed By: (Loga-Negru, Cristian)

Submit Date: 10-15-2018

Decision: (D) Deny

Decision Date: 10-16-2018

ORD that the motion to extend the time to file a Wis. Stat. Rule 809.30 postconviction motion is denied as unfiling a postconviction motion remains set at November 2, 2018.

Comment: Order 10-16-18 MXT to file NAP/PCM

OCCD CA 09-18-2018

MXT to file NAP/PCM

Filed By: (Loga-Negru, Cristian)

Submit Date: 9-18-2018

Decision: (G) Grant

Decision Date: 9-19-2018

ORD that the time for filing a Wis. Stat. Rule 809.30 postconviction motion is extended to November 2, 2018. 809.82(2)(a).

Comment: Order 9-19-18 MXT to file NAP/PCM

OCCD CA 04-02-2018

Order of Circuit Court

OCCD CA 10-10-2016

Judgment of Circuit Court

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