

## APPENDIX

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**APPENDIX A**

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**IN THE RACINE COUNTY CIRCUIT COURT OF  
THE STATE OF WICONSIN**

**Case No. 2018CM830**

**[Filed on January 24, 2019]**

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STATE OF WISCONIN,

Plaintiff,

v.

RYAN,

Defendant.

---

**MOTION FOR PRELIMINARY RULING ON  
ADMISSIBILITY OF EVIDENCE OF THE  
VICTIM'S VIOLENT CHARACTER**

NOW COMES the above-named defendant, and pursuant to Sec. 901.04, STATS., hereby moves the court for a preliminary ruling on the admissibility of the following evidence of the alleged victim's violent character:

1. If the defendant, Ryan T Thornton, testifies at trial he is prepared to testify that he feared for both his safety as well as the alleged victim's safety and believed that negligible force was necessary to repel the attack. To establish that this belief was reasonable, Ryan T Thornton and would testify on The Alleged Victim's Violent Character:

- A. That [The Alleged Victim] was “very angry” and “very upset” from Ryan coming to bed, as mentioned in her written statement.
- B. That, immediately upon being awaken, [The Alleged Victim] pushed Ryan with so much force that the back of his head hit the edge of the drywall (of the closet opening). This point of contact was roughly 3 feet from where she pushed him and this immediately left a 2 inch in length by 1/8 inch thick swelling. It was mentioned that [The Alleged Victim] pushed Ryan in her written statement. Ryan also mentioned this in the 4/30 Restraining Order Injunction Hearing.
- C. That [The Alleged Victim] had chased Ryan around for roughly 15 minutes before cornering him in the bathroom, digging her nails in his arms and kicking him hard in his knees and shins, whenever she got close enough to do so. [The Alleged Victim] was also screaming in an intense way that Ryan had never before heard from her. Ryan was bleeding from numerous cuts on both of his arms and had bruises on his legs. Ryan mentioned this in the 4/30 Restraining Order Injunction Hearing, but the court limited the extent of him discussing this.

2. Additionally, in order to establish the credibility of Ryan T Thornton's testimony in this regard, the defendant intends to call Deborah J Frederickson as witnesses who had visually witnessed his injuries.

3. Finally, to permit the defendant to cross-examine The Alleged Victim, about her specific violent acts during the State's case-in-chief.

This motion is further based upon the attached Memorandum of Law.

Dated at Racine, Wisconsin, this 24 day of January, 2019.

The Defendant  
Ryan T Thornton  
262.939.4405

---

MEMORANDUM OF LAW IN SUPPORT OF  
MOTION FOR PRELIMINARY RULING

---

#### INTRODUCTION

Evidence will be presented at trial that on or about February 07, 2018, the defendant, was being attacked by The Alleged Victim with an intense level of aggression.

Ryan will testify that he feared that he was in imminent danger of death or great bodily harm by [The Alleged Victim] and, therefore, he was required to non-violently protect himself.

As set forth in detail in the motion, a sufficient basis for self-defense has been established.

In, McMorris v. State, 58 Wis. 2d 144, 149-150 (Wis. 1973), the Supreme Court made clear that:

We are of the opinion the better rule is that of those jurisdictions which hold that where there is a sufficient factual basis to raise the issue of self-defense, and the turbulent and violent character of the victim is an essential element of the defense, proof should be admitted as to the reputation of the victim. This is relevant in determining whether the victim or the accused was the aggressor.

The court wrote:

Evidence corroborating the defendant's self-serving testimony on the only issue in the case, the defendant's state of mind, would be highly persuasive to the fact finder. The mere fact that the state does not contest the defendant's testimony about the victim does not obviate the defendant's need to bolster his own testimony with testimony of other witnesses, especially that of the victim himself. As McAllister makes clear, the defendant should not be limited merely to his own assertion but should be allowed to produce supporting evidence to prove the reality of the particular acts of which he claims knowledge.

State v. Daniels, 160 Wis. 2d 85, 104 (Wis. 1991).

Here, it is apparent that [The Alleged Victim] had been behaving in a violent manner.

Thus, the court should preliminarily rule that the evidence is relevant.

Dated at Racine, Wisconsin, this 24 day of  
January, 2019.

The Defendant  
Ryan T Thornton  
262.939.4405

---

**APPENDIX B**

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**IN THE RACINE COUNTY CIRCUIT COURT OF  
THE STATE OF WICONSIN**

**Case No. 2018CM830 & 2018CM2366**

**[Status hearing on March 11, 2019]**

---

STATE OF WISCONIN,

Plaintiff,

v.

RYAN,

Defendant.

---

**PERTINENT PORTION OF THE 2018CM830  
3/11/2019 TRANSCRIPT**

Page 11, Line 17 Thru Page 12, Line 11:

THE COURT: There's another case you brought up here is regarding the admissibility evidence of the victim's violent character. Essentially you're arguing that you'd be able to use self-defense as a defense it sounds like to me. Is that fair and what you're saying here?

DEFENDANT: Yes. Yes.

THE COURT: All right.

DEFENDANT: The--you know with how violent she was.

THE COURT: Sure. Okay, and so this is proper and what you're doing now is putting the state on notice that you're making a self-defense argument, okay. It's up to the state then as put on notice that you're now seeking self-defense and then that's part of your defense. That's basically --

DEFENDANT: Part of it, yes.

THE COURT: Correct. All right, and Attorney Cody, you've reviewed that as well?

MR. CODY: I have, your Honor, and the state will accept, state has now been put on notice.

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**APPENDIX C**

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**IN THE RACINE COUNTY CIRCUIT COURT OF  
THE STATE OF WICONSIN**

**Case No. 2019CF397**

**[Filed on August 27, 2019]**

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STATE OF WISCONIN,  
Plaintiff,  
v.  
RYAN,  
Defendant.

---

**MOTION FOR PRELIMINARY RULING ON  
ADMISSIBILITY OF EVIDENCE OF THE  
VICTIM'S VIOLENT CHARACTER**

NOW COMES the above-named defendant, and pursuant to Sec. 901.04, STATS., hereby moves the court for a preliminary ruling on the admissibility of the following evidence of the alleged victim's violent character:

1. If the defendant, Ryan T Thornton, testifies at trial he is prepared to testify that he feared for both his safety as well as the alleged victim's safety and believed that negligible force was necessary to repel the attack. To establish that this belief was reasonable, Ryan T Thornton and would testify on The Alleged Victim's Violent Character:

- A. That [The Alleged Victim] was “very angry” and “very upset” from Ryan coming to bed, as mentioned in her written statement.
- B. That, immediately upon being awaken, [The Alleged Victim] pushed Ryan with so much force that the back of his head hit the edge of the drywall (of the closet opening). This point of contact was roughly 3 feet from where she pushed him and this immediately left a 2 inch in length by 1/8 inch thick swelling. It was mentioned that [The Alleged Victim] pushed Ryan in her written statement. Ryan also mentioned this in the 4/30 Restraining Order Injunction Hearing.
- C. That [The Alleged Victim] had chased Ryan around for roughly 15 minutes before cornering him in the bathroom, digging her nails in his arms and kicking him hard in his knees and shins, whenever she got close enough to do so. [The Alleged Victim] was also screaming in an intense way that Ryan had never before heard from her. Ryan was bleeding from numerous cuts on both of his arms and had bruises on his legs. Ryan mentioned this in the 4/30 Restraining Order Injunction Hearing, but the court limited the extent of him discussing this.

2. Additionally, in order to establish the credibility of Ryan T Thornton's testimony in this regard, the defendant intends to call Deborah J Frederickson as witnesses who had visually witnessed his injuries.

3. Finally, to permit the defendant to cross-examine The Alleged Victim, about her specific violent acts during the State's case-in-chief.

This motion is further based upon the attached Memorandum of Law.

Dated at Racine, Wisconsin, this 27th day of August, 2019.

The Defendant  
Ryan T Thornton  
262.939.4405

---

MEMORANDUM OF LAW IN SUPPORT OF  
MOTION FOR PRELIMINARY RULING

---

#### INTRODUCTION

Evidence will be presented at trial that on or about February 07, 2018, the defendant, was being attacked by The Alleged Victim with an intense level of aggression.

Ryan will testify that he feared that he was in imminent danger of death or great bodily harm by [The Alleged Victim] and, therefore, he was required to non-violently protect himself.

As set forth in detail in the motion, a sufficient basis for self-defense has been established.

In, *McMorris v. State*, 58 Wis. 2d 144, 149-150 (Wis. 1973), the Supreme Court made clear that:

We are of the opinion the better rule is that of those jurisdictions which hold that where there is a sufficient factual basis to raise the issue of self-defense, and the turbulent and violent character of the victim is an essential element of the defense, proof should be admitted as to the reputation of the victim. This is relevant in determining whether the victim or the accused was the aggressor.

The court wrote:

Evidence corroborating the defendant's self-serving testimony on the only issue in the case, the defendant's state of mind, would be highly persuasive to the fact finder. The mere fact that the state does not contest the defendant's testimony about the victim does not obviate the defendant's need to bolster his own testimony with testimony of other witnesses, especially that of the victim himself. As McAllister makes clear, the defendant should not be limited merely to his own assertion but should be allowed to produce supporting evidence to prove the reality of the particular acts of which he claims knowledge.

State v. Daniels, 160 Wis. 2d 85, 104 (Wis. 1991).

Here, it is apparent that [The Alleged Victim] had been behaving in a violent manner.

Thus, the court should preliminarily rule that the evidence is relevant.

Dated at Racine, Wisconsin, this 27th day of  
August, 2019.

The Defendant  
Ryan T Thornton  
262.939.4405

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APPENDIX D

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IN THE RACINE COUNTY CIRCUIT COURT OF  
THE STATE OF WICONSIN

Case No. 2019CF397

[Pre-Trial Hearings on August 30, 2019 and  
September 6, 2019]

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STATE OF WISCONIN,  
Plaintiff,  
v.  
RYAN,  
Defendant.

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PERTINENT PORTIONS OF THE 2019CF397 PRE-  
TRIAL TRANSCRIPTS

8/30/2019: Page 18, Line 7 Thru Page 18, Line 18:

THE COURT: Okay, you indicate a number of witnesses that you will be subpoenaing. I'll deal with that individually if those as a result are to testify. All right, you then most recently filed a motion for a preliminary ruling on the admissibility of evidence of the victim's violent character. You cite a number of statutes and some case law and are you saying to me that your defense is one of self-defense, Mr. Thornton?

MR. THORNTON: No, I'm not, but I'm just, you know, letting the Court know what actually

happened; it was not part of the police report for whatever reason.

9/6/2019: Page 24, Line 5 Thru Page 26, Line 10:

THE COURT: I found it. So Mr. Coaty is correct, the first witness that you list is Deborah Fredrickson and that's your mother, and then you say regarding evidence of injuries received. What injuries and when were they received, Mr. Thornton?

MR. THORNTON: From that incident by The Alleged Victim I had random nail marks that were -- you know, she was chasing after me and she would grab -- whenever she got close she'd grab my forearm area up to my biceps area and I had just random --

THE COURT: All right, so when you say that incident, I just want to make sure we're talking about the same thing and we're talking about the incident in the criminal complaint and information from April 9 of 2018?

MR. THORNTON: Yes.

MR. COATY: Your Honor, forgive me, that's not correct; that's the date it was reported. The incident happened on February 7th.

THE COURT: Thank you for that correction. You are absolutely correct, Mr. Coaty. So the date of any injury then would have been February 7th, 2018, Mr. Thornton?

MR. THORNTON: Yes.

THE COURT: Okay, all right.

MR. THORNTON: And also I had bruises on my shin and knee area; whenever she got close she would also kick me.

THE COURT: Okay.

MR. COATY: Your Honor, excuse me, when we last had a hearing, at that point you had -- the Court had simply made the observations that the defendant had filed a McMorris motion. Later in that hearing Mr. Thornton explained that he would not be asserting self-defense.

THE COURT: Correct.

MR. COATY: And, therefore, I'm not sure.

THE COURT: So the motion that was filed and denied had to do with talking about violence when it came to the complaining witness and her propensity for violence; correct, that is not allowed.

MR. THORNTON: Why is that?

THE COURT: Because you also told me in the same breath, sir, that this is not a self-defense case; that that is not your theory of defense here.

MR. THORNTON: It goes to her credibility.

THE COURT: No.

MR. THORNTON: Then I'll change that then.

THE COURT: Sir, you can't just change it. It's not a self-defense case. You told me that.

MR. THORNTON: It happened.

THE COURT: You are trying to get in certain things that are not allowed by law.

MR. THORNTON: Really?

THE COURT: You may not agree with that, but that's the law and that's the ruling.

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**APPENDIX E**

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**IN THE RACINE COUNTY CIRCUIT COURT OF  
THE STATE OF WICONSIN**

**Case No. 2019CF397**

**[Filed December 9, 2019]**

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**STATE OF WISCONIN,**

**Plaintiff,**

**v.**

**RYAN,**

**Defendant.**

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**NOTICE OF APPEAL**

PLEASE TAKE NOTICE, that defendant, Ryan, hereby appeals judgment made and entered by Hon. Faye Flancher convicting him of the class H felony of Strangulation and Suffocation and the class B misdemeanor of Disorderly Conduct. This appeal is taken from said judgment and from each and every part thereof and every intermediate order made therein.

Since Ryan is currently incarcerated, please serve this notice to the district attorney, Thomas Coaty.

Dated: 12/4/2019

Ryan T. Thornton  
4014 19<sup>th</sup> St

Signed:

*Ryan T. Thornton*

Racine, WI 53405

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**APPENDIX F**

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**IN THE SECOND DISTRICT COURT OF APPEALS  
OF THE STATE OF WISCONSIN**

**Case No. 2023XX441**

**[Filed April 13, 2023]**

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STATE OF WISCONSIN,  
Plaintiff-Respondent,  
v.  
RYAN,  
Defendant-Appellant.

---

**ORDER DENYING RYAN's 2023XX441 4/6/2023  
MOTION FOR RECONSIDERATION**

To:

Samuel A. Christensen  
Clerk of Circuit Court  
Racine County Courthouse  
Electronic Notice  
Winn S. Collins  
Electronic Notice  
Ryan T. Thornton  
Electronic Notice

2023XX441-CR State of Wisconsin v. Ryan T.  
Thornton (L.C. # 2019CF397)

You are hereby notified that the Court has entered  
the following order:

Before Lazar, J.

The pro se appellant, Ryan T. Thornton, has filed a motion for miscellaneous relief. First, he moves for reconsideration of the court's March 24, 2023 order, which denied his motion for abeyance on the filing of an appeal in Racine County Case No. 2019CF397. In denying the motion, we observed the motion was unclear as to what sought to appeal, he was convicted of his crimes in November 2019 and his direct appeal rights under WIS. STAT. RULE 809.30 have expired, and the motion did not demonstrate a legal basis for the relief sought. Nothing in's current motion for reconsideration alters that conclusion. This part of Thornton's motion is denied.

Thornton also moves to reinstate his direct appeal rights under WIS. STAT. RULE 809.30 and extend the time limits for filing a notice of appeal. As stated previously, was convicted of his crimes more than three years ago and his direct appeal rights have expired. "The longer the extension that is sought, the greater the showing that is generally required to satisfy us that there is good cause for granting it." State v. Quackenbush, 2005 WI App 2, ¶11, 278 Wis. 2d 611, 692 N.W.2d 340. We are not persuaded that's motion establishes good cause for the requested relief, and even affording him the benefit of all doubts, an inordinate amount of time

has passed without any prior motions to this court.  
Therefore,

IT IS ORDERED that the motion for  
reconsideration is denied.

IT IS FURTHER ORDERED that the motion  
to extend the time for filing a notice of appeal is  
denied.

Sheila T. Reiff  
Clerk of Court of Appeals

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**APPENDIX G**

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**IN THE SUPREME COURT OF THE STATE OF  
WISCONSIN**

**Case No. 2023AP769**

**[Filed May 17, 2023]**

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STATE OF WISCONSIN,  
Plaintiff-Respondent,  
v.  
RYAN,  
Defendant-Appellant-Petitioner.

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**NON-RESPONSE ORDER TO RYAN's 5/12/2023  
PETITION FOR REVIEW**

Sheila T. Reiff  
Clerk, Wisconsin Supreme Court  
110 East Main Street, Suite 215  
Post Office Box 1688  
Madison, WI 53701-1688

Re: *State of Wisconsin v. Ryan T. Thornton*  
Case No. 2023AP769-CR

Dear Ms. Reiff:

The State of Wisconsin has received the Petition for Review in the above matter. The State opposes the petition because it does not satisfy the criteria for review set forth in Wis. Stat. § (Rule)

809,62(lr). However, the State will not file a formal response unless ordered by the Court.

Sincerely,  
WINN S. COLLINS

A handwritten signature in black ink, appearing to read "Winn S. Collins".

Assistant Attorney General

WSC:cjs

c:      Ryan T. Thornton  
          4014 19th Street  
          Racine, WI 53405

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**APPENDIX H**

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**IN THE SUPREME COURT OF THE STATE OF  
WISCONSIN**

**Case No. 2023AP769**

**[Filed August 17, 2023]**

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STATE OF WISCONSIN,  
Plaintiff-Respondent,  
v.  
RYAN,  
Defendant-Appellant-Petitioner.

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**ORDER DENYING RYAN's 5/12/2023 PETITION  
FOR REVIEW**

To:  
Hon. Faye M. Flancher  
Circuit Court Judge  
Electronic Notice  
Amy Vanderhoef  
Clerk of Circuit Court  
Racine County Courthouse  
Electronic Notice  
Winn S. Collins  
Electronic Notice  
Ryan T. Thornton  
Electronic Notice

You are hereby notified that the Court has entered  
the following order:

No. 2023AP769-CR  
State v. L.C. #2019CF397

A petition for review pursuant to Wis. Stat. § 808.10 having been filed on behalf of defendant-appellant-petitioner, Ryan T. Thornton, pro se, and considered by this court;

IT IS ORDERED that the petition for review is denied, without costs.

Samuel A. Christensen  
Clerk of Supreme Court

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**APPENDIX I**

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**IN THE SUPREME COURT OF THE STATE OF  
WISCONSIN**

**Case No. 2023AP769**

**[Filed October 25, 2023]**

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STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

RYAN,

Defendant-Appellant-Petitioner.

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**NON-RESPONSE ORDER TO RYAN's 10/11/2023  
PETITION FOR REVIEW**

Samuel A. Christensen, Clerk  
Clerk, Wisconsin Supreme Court  
110 East Main Street  
Post Office Box 1688  
Madison, WI 53701-1688

Re: *State of Wisconsin v. Ryan T. Thornton*  
Case No. 2023AP769-CR

Dear Mr. Christensen:

The plaintiff-respondent, State of Wisconsin, is in receipt of defendant-appellant-petitioner's Petition for Review in the above matter. Although the State opposes the petition, as it does not meet the standards

enunciated in Wis. Stat. § (Rule) 809.62, it will not file a formal written response, unless ordered by the court.

Sincerely,

Electronically signed by:

John A. Blimling

JOHN A. BLIMLING

Assistant Attorney General

State Bar #1088372

JAB:jmb

c:      Ryan T. Thornton  
          4014 19th Street  
          Racine, WI 53405

Patricia Hanson (via email)  
Racine County District Attorney

No.

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In the  
Supreme Court of the United States

RYAN THORNTON,

Petitioner,

v.

State of Wisconsin,

Respondents.

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On Petition for Writ of Certiorari to the  
Supreme Court of Wisconsin

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SUPPLEMENTAL APPENDIX TO 1/14/2024  
PETITION FOR WRIT OF CERTIORARI

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*Ryan T. Thornton 2/13/2024*

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Ryan T. Thornton, ACAS (casact.org)

Pro Se

4014 19th St

Racine, WI 53405

262.939.4405

ryan0410@gmail.com

February 13, 2024

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## SUPPLEMENTAL APPENDIX

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S.Appendix B: [ORDER DENYING RYAN's 2023XX441 4/22/2023 MOTION FOR...ADDITIONAL RECONSIDERATION <u>and</u> 4/24/2023 MOTION FOR INPERSON HEARING] in [THE SECOND DISTRICT COURT OF APPEALS OF THE STATE OF WISCONSIN] (May 1, 2023).....	SApp.3
S.Appendix C: [ORDER DENYING RYAN's 2023AP769 5/8/2023 MOTION TO REINSTATE DIRECT APPELLATE RIGHTS] in [THE SECOND DISTRICT COURT OF APPEALS OF THE STATE OF WISCONSIN] (May 9, 2023).....	SApp.6

S.Appendix D: [ORDER REGARDING RYAN's  
2023AP769 7/22/2023 BRIEF OF  
APPELLANT] in [THE SECOND  
DISTRICT COURT OF APPEALS OF  
THE STATE OF WISCONSIN] (July  
28, 2023).....SApp.8

S.Appendix E: [ORDER DENYING RYAN's  
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APPELLANT] in [THE SECOND  
DISTRICT COURT OF APPEALS OF  
THE STATE OF WISCONSIN] (August  
22, 2023).....SApp.10

S.Appendix F: [ORDER DENYING RYAN's  
2023AP769 9/11/2023 MOTION FOR  
RECONSIDERATION] in [THE  
SECOND DISTRICT COURT OF  
APPEALS OF THE STATE OF  
WISCONSIN] (September 13,  
2023).....SApp.14

S.Appendix G: [ORDER DENYING RYAN's  
2023AP769 10/11/2023 PETITION FOR  
REVIEW] in [THE SUPREME COURT  
OF THE STATE OF WICONSIN]  
(December 12, 2023).....SApp.16

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**S.APPENDIX A**

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**IN THE SECOND DISTRICT COURT OF APPEALS  
OF THE STATE OF WISCONSIN**

**Case No. 2023XX441**

**[Filed March 24, 2023]**

---

**STATE OF WISCONSIN,**

**Plaintiff-Respondent,**

**v.**

**RYAN T. THORNTON,**

**Defendant-Appellant.**

---

**ORDER DENYING RYAN's 2023XX441 3/24/2023  
MOTION FOR ABEYANCE ON FILING APPEALS**

**To:**

Samuel A. Christensen

Clerk of Circuit Court

Racine County Courthouse

Electronic Notice

Winn S. Collins

Electronic Notice

Ryan T. Thornton

Electronic Notice

You are hereby notified that the Court has entered  
the following order:

2023XX441-CR State of Wisconsin v. Ryan T.  
Thornton (L.C. # 2019CF397)

Before Gundrum, P.J.

Ryan T. Thornton, pro se, has filed a motion for abeyance on the filing of an appeal in Racine County Case No. 2019CF397. The motion is unclear as to what Thornton seeks to appeal.<sup>1</sup> Additionally, the motion does not demonstrate a legal basis for the relief sought. Therefore,

IT IS ORDERED that motion for abeyance is denied.

Sheila T. Reiff  
Clerk of Court of Appeals

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<sup>1</sup> Thornton was convicted of his crimes in November 2019, and his direct appeal rights under WIS. STAT. RULE 809.30 have expired.

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**S.APPENDIX B**

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**IN THE SECOND DISTRICT COURT OF APPEALS  
OF THE STATE OF WISCONSIN**

**Case No. 2023XX441**

**[Filed May 1, 2023]**

---

**STATE OF WISCONSIN,**

**Plaintiff-Respondent,**

**v.**

**RYAN T. THORNTON,**

**Defendant-Appellant.**

---

**ORDER DENYING RYAN's 2023XX441 4/22/2023  
MOTION FOR...ADDITIONAL  
RECONSIDERATION and 4/24/2023 MOTION FOR  
INPERSON HEARING**

**To:**

**Samuel A. Christensen**

**Clerk of Circuit Court**

**Racine County Courthouse**

**Electronic Notice**

**Winn S. Collins**

**Electronic Notice**

**Ryan T. Thornton**

**Electronic Notice**

**You are hereby notified that the Court has entered  
the following order:**

2023XX441-CR State of Wisconsin v. Ryan T. Thornton (L.C. # 2019CF397)

Before Lazar, J.

The pro se appellant, Ryan T. Thornton, has filed a motion for miscellaneous relief that is directed toward the supreme court and this court. As to the portion of the motion directed toward this court, Thornton requests “the Court of Appeals give him an Additional Reconsideration attempt[.]” We construe this request as a motion for reconsideration of the court’s April 13, 2023 order. The court’s April 13, 2023 order denied his motion for reconsideration of this court’s March 24, 2023 order, which denied his motion for abeyance on the filing of an appeal in Racine County Case No. 2019CF39. The court’s April 13, 2023 order also denied Thornton’s request to reinstate his direct appeal rights. We are not persuaded reconsideration is warranted.

Separately, Thornton has filed a motion for this court to hold an in-person hearing where Thornton may interrogate an attorney. As an appellate court, we do not hold evidentiary hearings.

Therefore,

IT IS ORDERED that Thornton’s motion for additional reconsideration is denied.

IT IS FURTHER ORDERED that Thornton’s motion for an evidentiary hearing is denied.

SApp.5

Sheila T. Reiff  
Clerk of Court of Appeals

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**S.APPENDIX C**

---

**IN THE SECOND DISTRICT COURT OF APPEALS  
OF THE STATE OF WISCONSIN**

**Case No. 2023AP769**

**[Filed May 9, 2023]**

---

**STATE OF WISCONSIN,**

**Plaintiff-Respondent,**

**v.**

**RYAN T. THORNTON,**

**Defendant-Appellant.**

---

**ORDER DENYING RYAN's 2023AP769 5/8/2023  
MOTION TO REINSTATE DIRECT APPELLATE  
RIGHTS**

**To:**

Samuel A. Christensen

Clerk of Circuit Court

Racine County Courthouse

Electronic Notice

Winn S. Collins

Electronic Notice

Ryan T. Thornton

Electronic Notice

You are hereby notified that the Court has entered  
the following order:

2023AP769-CR State of Wisconsin v. Ryan T.  
Thornton (L.C. # 2019CF397)

Before Gundrum, P.J.

The pro se appellant, Ryan T. Thornton, has again moved to reinstate his WIS. STAT. RULE 809.30 direct appeal rights. By order dated April 13, 2023, we denied Thornton's request to reinstate his direct appeal rights. By order dated May 1, we denied Thornton's motion to reconsider our April 13 order. On May 8, Thornton filed another motion to reinstate his direct appeal rights. We are not persuaded that the motion demonstrates good cause for the relief requested. Accordingly, we deny it.

To conserve scarce judicial resources, we will neither entertain nor respond to any further requests for similar relief from the defendant. Therefore,

IT IS ORDERED that the motion is denied.

Sheila T. Reiff  
Clerk of Court of Appeals

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**S.APPENDIX D**

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**IN THE SECOND DISTRICT COURT OF APPEALS  
OF THE STATE OF WISCONSIN**

**Case No. 2023AP769**

**[Filed July 28, 2023]**

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STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

RYAN T. THORNTON,

Defendant-Appellant.

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**ORDER REGARDING RYAN's 2023AP769 7/22/2023**

**BRIEF OF APPELLANT**

To:

Amy Vanderhoef

Clerk of Circuit Court

Racine County Courthouse

Electronic Notice

Winn S. Collins

Electronic Notice

Ryan T. Thornton

Electronic Notice

You are hereby notified that the Court has entered  
the following order:

2023AP769-CR State of Wisconsin v. Ryan T.  
Thornton (L.C. # 2019CF397)

Before Gundrum, P.J.

Ryan T. Thornton, pro se, has filed multiple motions with this court as well as a proposed appellant's brief. Thornton also has a petition for review pending in the supreme court involving this case. This court will hold all motions and his proposed brief in abeyance until the supreme court resolves Thornton's May 12, 2023 petition for review. Once the supreme court resolves Thornton's petition, we will consider the pending motions, whether his proposed brief is acceptable for filing, and whether this court has jurisdiction over his appeal. Therefore,

IT IS ORDERED that Thornton's pending motions and proposed brief will be held in abeyance until the supreme court has resolved Thornton's petition for review.

Samuel A. Christensen  
Clerk of Court of Appeals

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**S.APPENDIX E**

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**IN THE SECOND DISTRICT COURT OF APPEALS  
OF THE STATE OF WISCONSIN**

**Case No. 2023AP769**

**[Filed August 22, 2023]**

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**STATE OF WISCONSIN,**

**Plaintiff-Respondent,**

**v.**

**RYAN T. THORNTON,**

**Defendant-Appellant.**

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**ORDER DENYING RYAN's 2023AP769 7/22/2023**

**BRIEF OF APPELLANT**

**To:**

Hon. Faye M. Flancher

Circuit Court Judge

Electronic Notice

Amy Vanderhoef

Clerk of Circuit Court

Racine County Courthouse

Electronic Notice

John Blimling

Electronic Notice

Ryan T. Thornton

Electronic Notice

You are hereby notified that the Court has entered  
the following order:

2023AP769-CR State of Wisconsin v. Ryan T.  
Thornton (L.C. # 2019CF397)

Before Neubauer, Grogan and Lazar, JJ.

On May 1, 2023, Ryan T. Thornton filed a pro se notice of appeal from his 2019 criminal convictions. The notice of appeal did not specify the date of the circuit court order or judgment being appealed. This court has an independent duty to determine its jurisdiction over each appeal. See *Carla B. v. Timothy N.*, 228 Wis. 2d 695, 698, 598 N.W.2d 924 (Ct. App. 1999). Having examined the appellate record, we conclude that this court lacks jurisdiction over the appeal.

The record reflects that Thornton was sentenced for one felony and one misdemeanor on November 22, 2019. Thornton filed a notice of intent to pursue postconviction relief and retained postconviction counsel, but he ultimately did not pursue a direct appeal of his convictions.<sup>1</sup> Thornton's direct appeal rights under WIS. STAT. RULE 809.30 (2021-22) lapsed.<sup>2</sup> He moved this court to reinstate his direct appeal rights. We denied his motion on April 13, 2023, and we also denied his motions for reconsideration on May 1, 2023, and May 9, 2023. Thornton filed a petition for review of those orders, which the supreme court denied on August 17, 2023.

Meanwhile, on May 1, 2023, Thornton filed a notice of appeal in the circuit court from “2019CF397 entirely.” A judgment or order must be reduced to writing and filed with the clerk of the circuit court before an appeal can be taken. *Ramsthal Advert. Agency v. Energy Miser, Inc.*, 90 Wis. 2d 74, 75, 279 N.W.2d 491 (Ct. App. 1979). Further, outside of the WIS. STAT. RULE 809.30 context, appeals of motions brought in the circuit court, such as WIS. STAT. § 974.06 motions, are governed by the civil appeal deadlines in WIS. STAT. § 808.04(1) (providing a ninety-day deadline or, if a notice of entry is given, a forty-five-day deadline). The time for filing a notice of appeal pursuant to § 808.04(1) cannot be enlarged. See WIS. STAT. RULE 809.82(2)(b).

We have now examined the record that was transmitted to this court to determine if any circuit court orders or judgments were entered in the ninety days prior to the filing of the notice of appeal. We have found none. Thornton has not appealed from an order or judgment entered in the ninety days prior to the filing of his May 1, 2023 notice of appeal. Therefore, this court lacks jurisdiction over this appeal, and it must be dismissed.

Because we are dismissing this appeal for lack of jurisdiction, we will take no action on Thornton’s pending motions or his proposed appellant’s brief.

Upon the foregoing,

IT IS ORDERED that this appeal is dismissed for lack of jurisdiction, and this court will take no action on Thornton's pending motions or his proposed appellant's brief.

Samuel A. Christensen  
Clerk of Court of Appeals

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<sup>1</sup> Thornton filed a pro se notice of appeal before postconviction counsel was retained. That appeal was voluntarily dismissed, and we extended the time for counsel to request transcripts. See State v. Thornton, No. 2019AP2326-CR, unpublished op. and order (WI App Dec. 26, 2019). In addition, Thornton filed a pro se appeal of the denial of his motion to waive the cost of producing transcripts, but he later voluntarily dismissed that appeal. See State v. Thornton, No. 2022AP592-CR, unpublished op. and order (WI App May 27, 2022).

<sup>2</sup> All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

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**S.APPENDIX F**

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**IN THE SECOND DISTRICT COURT OF APPEALS  
OF THE STATE OF WISCONSIN**

**Case No. 2023AP769**

**[Filed September 13, 2023]**

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**STATE OF WISCONSIN,**

**Plaintiff-Respondent,**

**v.**

**RYAN T. THORNTON,**

**Defendant-Appellant.**

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**ORDER DENYING RYAN's 2023AP769 9/11/2023  
MOTION FOR RECONSIDERATION**

**To:**

**Hon. Faye M. Flancher**

**Circuit Court Judge**

**Electronic Notice**

**Amy Vanderhoef**

**Clerk of Circuit Court**

**Racine County Courthouse**

**Electronic Notice**

**John Blimling**

**Electronic Notice**

**Ryan T. Thornton**

**Electronic Notice**

**You are hereby notified that the Court has entered  
the following order:**

2023AP769-CR State of Wisconsin v. Ryan T.  
Thornton (L.C. # 2019CF397)

Before Neubauer, Grogan and Lazar, JJ.

On August 22, 2023, we dismissed this appeal for lack of jurisdiction. Ryan T. Thornton, pro se, moves for reconsideration. See WIS. STAT. RULE 809.24(1). The motion does not persuade us that reconsideration is warranted. Therefore,

IT IS ORDERED that the motion for reconsideration is denied. See WIS. STAT. RULE 809.24(2).

Samuel A. Christensen  
Clerk of Court of Appeals

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**S.APPENDIX G**

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**IN THE SUPREME COURT OF THE STATE OF  
WISCONSIN**

**Case No. 2023AP769**

**[Filed December 12, 2023]**

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STATE OF WISCONSIN,  
Plaintiff-Respondent,  
v.  
RYAN,  
Defendant-Appellant-Petitioner.

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**ORDER DENYING RYAN's 10/11/2023 PETITION  
FOR REVIEW**

To:

Hon. Faye M. Flancher  
Circuit Court Judge  
Electronic Notice  
Amy Vanderhoef  
Clerk of Circuit Court  
Electronic Notice  
John Blimling  
Electronic Notice  
Ryan T. Thornton  
Electronic Notice

You are hereby notified that the Court has entered  
the following order:

No. 2023AP769-CR State v. Thornton L.C.  
#2019CF397

A petition for review pursuant to Wis. Stat. § 808.10 having been filed on behalf of defendant-appellant-petitioner, Ryan T. Thornton, pro se, and considered by this court; and the court noting the petition for review and accompanying appendix contain confidential personal and financial information and information identifying a crime victim, see Wis. Stat. §§ 801.19, 801.20, 809.19, 809.86;

IT IS ORDERED that the petition for review is denied, without costs; claims of ineffective assistance of appellate counsel must be brought via a petition for writ of habeas corpus in the court of appeals pursuant to State v. Knight, 168 Wis.2d 509, 484 N.W.2d 540 (1992); and

IT IS FURTHER ORDERED that the clerk of this court is directed to redact all phone numbers and financial information contained within Mr. Thornton's October 11, 2023 petition for review; and

IT IS FURTHER ORDERED that the clerk of this court is directed to seal Mr. Thornton's October 11, 2023 appendix to his petition for review.

Samuel A. Christensen  
Clerk of Supreme Court