

No. \_\_\_\_-\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

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GINGER M BREITZMAN,  
Petitioner,

vs.

STATE OF WISCONSIN,  
Respondent.

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ON PETITION FOR WRIT OF CERTIORARI  
TO THE WISCONSIN SUPREME COURT

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MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

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Petitioner, Ginger M. Breitzman, by her attorney, Hannah Schieber Jurss, respectfully moves the court to enter an order permitting her to proceed *in forma pauperis*. As grounds for, and in support of her motion, petitioner shows the court as follows:

1. That Ms. Breitzman is without funds to prosecute this action.
2. That Ms. Breitzman has been found to be indigent for purpose of her appeal in the state courts of Wisconsin.
3. Further, that as a result, pursuant to Chapter 977 of the Wisconsin Statutes, Ms. Breitzman has been represented and

continues to be represented on her appeal in this matter by counsel provided by the Office of the Wisconsin State Public Defender. Pursuant to Chapter 977 of the Wisconsin Statutes, the Office of the Wisconsin State Public Defender is responsible for determining which criminal defendants are indigent and thus entitled to appointed counsel for representation of criminal defendants in the Wisconsin state courts. Wis. Stat. §§ 977.06, 977.07.

4. Pursuant to Wisconsin Statutes Chapter 977, Ms. Breitzman was appointed counsel through the Office of the Wisconsin State Public Defender at the appellate level for representation in the Wisconsin state courts. She has also been appointed counsel through the Office of the Wisconsin State Public Defender for representation in this petition for certiorari.

5. That undersigned counsel, Attorney Hannah Schieber Jurss, is a full-time employee of the Office of the Wisconsin State Public Defender, and that she was appointed to represent Ms. Breitzman in her state appeal and has again been appointed to represent her in her petition for certiorari.

6. Pursuant to United States Supreme Court Rule 39.1, Ms. Breitzman has not attached a declaration or affidavit in support of

this motion. Instead, she has attached Orders Appointing Counsel, reflecting that she was appointed counsel below and that she was appointed counsel for this petition for certiorari.

WHEREFORE, for all the reasons herein, petitioner respectfully requests that she be permitted to proceed *in forma pauperis* in this action.

Dated this 1<sup>st</sup> day of March, 2018.

A handwritten signature in black ink, appearing to read 'H. Schieber Jurss', written over a horizontal line.

HANNAH SCHIEBER JURSS  
Assistant State Public Defender  
Wisconsin State Public Defender  
17 S. Fairchild Street, 3rd Floor  
Madison, Wisconsin, 53703  
jurssh@opd.wi.gov  
608.267.1773  
Attorney for Petitioner

Enc: Orders Appointing Counsel

## ORDER APPOINTING COUNSEL

**Client's Full Name:** Ginger M Breitzman  
**Address:** 2304 S 62nd St Apt 3  
West Allis, WI 53219 2145

**Client ID:** MAP1288757  
**SPD ID:** 184002278Z  
**File No:** 18S-40-A-F02278  
**Case Group #:** 1639101  
**Date of Birth:** 9/29/1973  
**DOC #:**

### Statutes:

**Nature of Case:** 947.01 Disorderly conduct A 1 Cnts:  
  
948.03(2)(b) Child Abuse - Intentionally Cause Harm FD 2 Cnts:  
  
948.21(1) Neglecting a Child FC/MA 2 Cnts:

|                           |                                             |                 |
|---------------------------|---------------------------------------------|-----------------|
| <b>County and Court:</b>  | Milwaukee Circuit Court Br. 40, Rm 501      | <b>Case No:</b> |
| <b>Other Information:</b> | <b>Judge:</b> Dallet, Rebecca               | 13-CF-270       |
|                           | <b>Record Created:</b> February 27, 2018    |                 |
|                           | <b>Judgment Entered:</b> July 12, 2013      |                 |
|                           | <b>Type:</b> Re-Opening: U.S. Supreme Court |                 |

IN ACCORDANCE WITH CHAPTER 977 OF THE WISCONSIN STATUTES, I HEREBY APPOINT THE FOLLOWING ATTORNEY TO REPRESENT THE ABOVE NAMED INDIVIDUAL IN RELATION TO THE ABOVE ENTITLED PROCEEDINGS.

|                         |                                       |                                       |
|-------------------------|---------------------------------------|---------------------------------------|
| <b>Attorney's Name:</b> | Hannah S Jurss                        | <b>Local Counsel</b>                  |
| <b>Address:</b>         | PO Box 7862<br>Madison, WI 53707 7862 | <b>SPD Office Handling:</b> Madison   |
|                         |                                       | <b>Appointed By:</b> Joseph N. Ehmann |
| <b>State Bar No:</b>    | 1081221                               | <b>Dated:</b> February 27, 2018       |
| <b>Phone Number:</b>    | (608) 267-1773                        |                                       |

### Office of the State Public Defender - Notice to Clients - File Retention Policy

When an attorney represents an individual, s/he makes and keeps a file of the documents and work done on the case. Attorneys on staff with the Office of the State Public Defender (SPD) create and maintain such files for each case. This notice applies only to cases handled by staff attorneys of the Office of the State Public Defender. If your case has been assigned to a private attorney, please consult that attorney about his or her file retention policy.

Upon the conclusion of the representation in this case, the SPD will, upon your request, deliver the original file or any portion requested, to you, along with any of our original documents or other property that the SPD has in its possession.

If you do not request your file, the SPD will retain it for a period of at least five years after the matter is closed. At any point during this period, you may request delivery of the file. If you do not request the file before the end of the five-year period, the SPD may, in its discretion, destroy the file and its contents without further notice to you.

## OFFICE APPOINTING COUNSEL

|                            |                                                                  |                       |                 |
|----------------------------|------------------------------------------------------------------|-----------------------|-----------------|
| <b>Client's Full Name:</b> | Ginger M Breitzman                                               | <b>Client ID:</b>     | MAP1288757      |
| <b>Address:</b>            | House of Correction<br>8885 S 68th St<br>Franklin, WI 53132 8202 | <b>SPD ID:</b>        | 134010906Z      |
|                            |                                                                  | <b>File No:</b>       | 13S-40-A-R10906 |
|                            |                                                                  | <b>Case Group #:</b>  | 1639101         |
|                            |                                                                  | <b>Date of Birth:</b> | 9/29/1973       |
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| <b>County and Court:</b>  | Milwaukee Circuit Court Br. 40, Rm 501     | <b>Case No:</b> |
| <b>Other Information:</b> | <b>Judge:</b> Dallet, Rebecca              | 13-CF-270       |
|                           | <b>Record Created:</b> September 4, 2013   |                 |
|                           | <b>Judgment Entered:</b> July 12, 2013     |                 |
|                           | <b>Type:</b> Felony: Jury Trial - 2-3 days |                 |

IN ACCORDANCE WITH CHAPTER 977 OF THE WISCONSIN STATUTES, I HEREBY APPOINT THE FOLLOWING ATTORNEY TO REPRESENT THE ABOVE NAMED INDIVIDUAL IN RELATION TO THE ABOVE ENTITLED PROCEEDINGS.

|                         |                                                    |                                                                        |
|-------------------------|----------------------------------------------------|------------------------------------------------------------------------|
| <b>Attorney's Name:</b> | Hannah Schieber                                    | Local Counsel                                                          |
| <b>Address:</b>         | 735 N Water St Ste 912<br>Milwaukee, WI 53202 4105 | SPD Office Handling: Milwaukee                                         |
|                         |                                                    | <b>Appointed By:</b> Joseph N. Ehmann                                  |
| <b>State Bar No:</b>    | 1081221                                            | Case Opened, Court Record & Transcripts Ordered:<br>September 09, 2013 |
| <b>Phone Number:</b>    | (414) 227-4805                                     |                                                                        |

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