

No. 21-210

IN THE
SUPREME COURT OF THE UNITED STATES

WISCONSIN,

Petitioner,

v.

MARK D. JENSEN,

Respondent.

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

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

Andrea Taylor Cornwall
Counsel of Record
Dustin C. Haskell
Lauren J. Breckenfelder
STATE PUBLIC DEFENDER
735 N. Water St., Ste. 912
Milwaukee, WI 53202
(414) 227-4805
cornwalla@opd.wi.gov

Respondent, Mark D. Jensen, by attorneys Andrea Taylor Cornwall, Dustin C. Haskell, and Lauren J. Breckenfelder, respectfully moves the court to enter an order permitting him to proceed *in forma pauperis*. As grounds for, and in support of his motion, respondent states as follows:

1. Mr. Jensen is without funds to litigate this matter, and has been found by the State of Wisconsin to be indigent for the purposes of trial and appellate proceedings in this matter.

2. Pursuant to Chapter 977 of the Wisconsin Statutes, Mr. Jensen has been represented and continues to be represented in this matter by counsel provided by the Office of the Wisconsin State Public Defender. 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.

3. Mr. Jensen was appointed counsel through the Office of the Wisconsin State Public Defender for representation in the Wisconsin state courts. He has also been appointed counsel through the Office of the Wisconsin State Public Defender for representation in opposing the petition for certiorari in this action.

4. Undersigned counsel are full-time employees of the Office of the Wisconsin State Public Defender.

5. Pursuant to United States Supreme Court Rule 39.1, Mr. Jensen has not attached a declaration or affidavit in support of this motion. Instead, he has attached the Orders Appointing Counsel reflecting that he was appointed counsel in the state courts below.

For all the reasons stated herein, respondent respectfully requests that he be permitted to proceed *in forma pauperis* in this action.

Dated November 9, 2021.

Counsel for Respondent:

Andrea Taylor Cornwall
Counsel of Record
Dustin C. Haskell
Lauren J. Breckenfelder
STATE PUBLIC DEFENDER
735 N. Water St., Ste. 912
Milwaukee, WI 53202
(414) 227-4805
cornwalla@opd.wi.gov

EXHIBITS

ORDER APPOINTING COUNSEL

Client's Full Name:	Mark D Jensen	Client ID:	MAP1258147
Address:	Kenosha County Jail 1000 55th St Kenosha, WI 53140 3707	SPD ID:	183001620Z
		File No:	18S-30-A-P01620
		Case Group #:	2205641
		Date of Birth:	10/5/1959
		DOC #:	525607

Statutes:

Nature of Case: 940.01(1)(a) 1st Degree Intentional Homicide 1 Cnts:

County and Court:	Kenosha Circuit Court Br. 8	Case No:	
Other Information:	Judge: Kerkman, Chad		02-CF-314
	Record Created: May 1, 2018		
	Judgment Entered: September 08, 2017		
	Type: Co-Counsel:		

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.

Attorney's Name:	Dustin C Haskell	Local Counsel
Address:	735 N Water St Ste 912 Milwaukee, WI 53202 4105	SPD Office Handling: Milwaukee
		Appointed By: Joseph N. Ehmann
State Bar No:	1071804	Dated: May 01, 2018
Phone Number:	(414) 227-4805	

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 your 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.

ORDER APPOINTING COUNSEL

Client's Full Name:	Mark D Jensen	Client ID:	MAP1258147
Address:	Kenosha County Jail 1000 55th St Kenosha, WI 53140 3707	SPD ID:	203002000Z
		File No:	20S-30-A-P02000
		Case Group #:	2205641
		Date of Birth:	10/5/1959
		DOC #:	525607

Statutes:

Nature of Case: 940.01(1)(a) 1st Degree Intentional Homicide 1 Cnts:

County and Court:	Kenosha Circuit Court Br. 8	Case No:
Other Information:	Judge: Kerkman, Chad	02-CF-314
	Record Created: June 19, 2020	
	Judgment Entered: September 08, 2017	
	Type: Re-Opening: State 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.

Attorney's Name:	Dustin C Haskell	Local Counsel
Address:	735 N Water St Ste 912 Milwaukee, WI 53202 4105	SPD Office Handling: Milwaukee
		Appointed By: Joseph N. Ehmann
State Bar No:	1071804	Dated: June 19, 2020
Phone Number:	(414) 227-4805	

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ORDER APPOINTING COUNSEL

Client's Full Name:	Mark D Jensen	Client ID:	MAP1258147
Address:	Kenosha County Jail 1000 55th St Kenosha, WI 53140 3707	SPD ID:	213002713Z
		File No:	21S-30-A-F02713
		Case Group #:	2205641
		Date of Birth:	10/5/1959
		DOC #:	525607

Statutes:

Nature of Case: 940.01(1)(a) 1st Degree Intentional Homicide 1 Cnts:

County and Court:	Kenosha Circuit Court Br. 8	Case No:
Other Information:	Judge: Kerkman, Chad	02-CF-314
	Record Created: May 1, 2021	
	Judgment Entered: September 08, 2017	
	Type: Re-Opening: U.S. Supreme Court	

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Address:	735 N Water St Ste 912 Milwaukee, WI 53202 4105	SPD Office Handling: Milwaukee
		Appointed By: Joseph N. Ehmann
State Bar No:	1071804	Dated: May 1, 2021
Phone Number:	(414) 227-4805	

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ORDER APPOINTING COUNSEL

Client's Full Name:	Mark D Jensen	Client ID:	MAP1258147
Address:	Kenosha County Jail 1000 55th St Kenosha, WI 53140 3707	SPD ID:	203002403Z
		File No:	20S-30-A-P02403
		Case Group #:	2205641
		Date of Birth:	10/5/1959
		DOC #:	525607

Statutes:

Nature of Case: 940.01(1)(a) 1st Degree Intentional Homicide 1 Cnts:

County and Court:	Kenosha Circuit Court Br. 8	Case No:
Other Information:	Judge: Kerkman, Chad	02-CF-314
	Record Created: July 24, 2020	
	Judgment Entered: September 08, 2017	
	Type: Co-Counsel:	

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.

Attorney's Name:	Lauren J Breckenfelder	Local Counsel
Address:	735 N Water St-Ste 912 Milwaukee, WI 53202 -410	SPD Office Handling: Milwaukee
		Appointed By: Joseph N. Ehmann
State Bar No:	1094543	Dated: July 24, 2020
Phone Number:	(414) 227-4805	

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ORDER APPOINTING COUNSEL

Client's Full Name:	Mark D Jensen	Client ID:	MAP1258147
Address:	Kenosha County Jail 1000 55th St Kenosha, WI 53140 3707	SPD ID:	213002785Z
		File No:	21S-30-A-F02785
		Case Group #:	2205641
		Date of Birth:	10/5/1959
		DOC #:	525607

Statutes:

Nature of Case: 940.01(1)(a) 1st Degree Intentional Homicide 1 Cnts:

County and Court:	Kenosha Circuit Court Br. 8	Case No:	
Other Information:	Judge: Kerkman, Chad		02-CF-314
	Record Created: September 25, 2021		
	Judgment Entered: September 08, 2017		
	Type: Re-Opening: U.S. Supreme Court		

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Address:	735 N Water St-Ste 912 Milwaukee, WI 53202 -410	SPD Office Handling: Milwaukee
		Appointed By: Joseph N. Ehmann
State Bar No:	1094543	Dated: September 24, 2021
Phone Number:	(414) 227-4805	

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