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DISTRICT III

April 3, 2019

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

2019AP559

The League of Women Voters v. Tony Evers

Before Stark, P.J.

Respondent Governor Tony Evers moves to modify the briefing schedule on the temporary injunction that is the subject of this appeal to accommodate counsel's schedule.

Counsel informs us appellant Wisconsin Legislature and the plaintiffs-respondents have no objection. We grant the motion.

On a separate matter, we note that the Wisconsin Legislature filed both a notice of appeal and a petition for leave to appeal the temporary injunction. Because the Wisconsin Legislature may appeal as of right pursuant to WIS. STAT. § 813.025(3) (2017-18), we conclude that the petition for leave to appeal is unnecessary. This court does not typically entertain petitions for leave to appeal where there is a right to appeal.

Therefore,

IT IS ORDERED that the response briefs of the respondents and the Department of Justice shall be due April 30, 2019, and the reply brief of the Wisconsin Legislature shall be due May 7, 2019.

IT IS FURTHER ORDERED that the petition for leave to appeal is dismissed as unnecessary, and this case shall proceed based upon the notice of appeal.

Sheila T. Reiff
Clerk of Court of Appeals