

STATE OF WISCONSIN : CIRCUIT COURT : _____ COUNTY
BR. ____
HONORABLE _____

STATE OF WISCONSIN,

Plaintiff,

v.

Case No. _____

_____,

Defendant.

NOTICE OF MOTION AND MOTION
TO STAY TRIAL COURT PROCEEDINGS

To: Attorney _____
_____ County Assistant District Attorney
Address

PLEASE TAKE NOTICE that on the _____ day of (month), (year) at _____ or as soon as counsel may be heard, the defendant, (defendant's name), by his/her attorney, _____, will move the Honorable Judge _____, pursuant to (Rule) 808.07 of the Wisconsin Statutes, for entry of an order staying proceedings in the trial court during the pendency of an appeal based upon the following grounds:

1. Defendant will be filing a Petition for leave to appeal a nonfinal order of the _____ County Circuit Court, the Honorable _____ presiding regarding this Court's Order entered on (date).
2. The Petition must be received by the Court of Appeals by (date).
3. Pursuant to the Scheduling Order entered into on (date), Motions in Limine in this action are due (date).
4. Pursuant to the Scheduling Order entered into on (date), a witness list and any proposed jury instructions are due (date).
5. This matter is set for Final Pre-Trial on (date).
6. This matter is set for Trial on (date).

7. Continuing with this matter at the trial court level while the Court of Appeals considers (defendant's name)'s petition may make the appeal moot.
8. Acceptance of (defendant's name)'s petition by the Court of Appeals may result in a reversal of the Order entered by the Court on (date), requiring that a pre-trial evidentiary hearing be conducted before any trial proceeding.
9. Defendant will suffer irreparable injury if the requested stay is denied.
10. Neither the State of Wisconsin nor the public interest will be harmed if the requested stay is granted.

Dated at _____, Wisconsin this _____ of (month), (year).

Respectfully submitted,

Attorney name
Attorney for (defendant's name)
State Bar No. _____

Attorney Address
Phone