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DISTRICT IV

FILED
December 18, 2019
Ozaukee County, WI
Mary Lou Mueller,
Clerk of Circuit Court/
Register in Probate

December 18, 2019

To:

Hon. Paul V. Malloy
Circuit Court Judge
Ozaukee County Circuit Court
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You are hereby notified that the Court has entered the following order:

2019XX2120 State of Wisconsin ex rel. Timothy Zignego v. Wisconsin Elections
Commission (L.C. # 2019CV449)

Before Fitzpatrick, P.J., Kloppenburg and Nashold, JJ.

The appellants, Wisconsin Elections Commission and individual Commissioners, have filed, and served on the respondents, a motion for an expedited stay of the writ of mandamus entered by the circuit court on December 17, 2019, in which the circuit court ordered the Commission “to comply with the provisions of § 6.50(3) and deactivate the registration of those electors who have failed to apply for continuation of their registration within 30 days of the date the notice was mailed under that provision.” As part of the motion, the appellants request that we consider the motion “ex parte,” meaning without a response from the respondents, for

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purposes of granting an immediate temporary stay. *See* WIS. STAT. RULE 809.12. The respondents are three individual Wisconsin taxpayers and registered voters.

We decline to grant stay relief without a response from the respondents because the appellants have not established that it is necessary to consider whether a stay should be granted without input from the respondents. However, the appellants have demonstrated that this matter should be expedited. Accordingly, we will shorten the time for the respondents to file a response to the appellants' stay motion. We direct the respondents to file their response no later than 9:00 a.m. on Monday, December 23, 2019.

Therefore,

IT IS ORDERED that the appellants' request for an immediate temporary stay without a response from the respondents is denied.

IT IS FURTHER ORDERED that the respondents shall file a response to the appellants' motion for an expedited stay no later than 9:00 a.m. on Monday, December 23, 2019.

Sheila T. Reiff
Clerk of Court of Appeals