

FILED  
01-10-2025  
Clerk of Circuit Court  
Brown County, WI  
2022CV001027

STATE OF WISCONSIN

CIRCUIT COURT

BROWN COUNTY

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**ANTRELL THOMAS, MELVIN CLEMONS, CHRISTIAN PITTMAN, CHANCE KRATOCHVIL, KELSIE MCGESHICK, JEROME BROST, DWIGHT MOORE, SEBASTIAN POPOVICH, MELINDA MESHIGAUD, ELMORE ANDERSON, CASHUN DRAKE, TERRY JOHNSON, TIMOTHY WILLIAMS, WILLIAM LOWE, TIVON WELLS, DAVADAE BOBBITT, and DONALD JUECK**, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

**JENNIFER BIAS**, in her official capacity as the Wisconsin State Public Defender; **ELLEN THORN**, in her official capacity as Chair of the Wisconsin Public Defender Board; **JOHN J. HOGAN**, in his official capacity as Vice Chair of the Wisconsin Public Defender Board; **JOSEPH MIOTKE**, in her official capacity as Secretary of the Wisconsin Public Defender Board; **JAMES M. BRENNAN**, in his official capacity as a member of the Wisconsin Public Defender Board; **ANTHONY COOPER, SR.**, in his official capacity as a member of the Wisconsin Public Defender Board; **T.R. WILLIAMS**, in his official capacity as a member of the Wisconsin Public Defender Board; **INGRID JAGERS**, in her official capacity as a member of the Wisconsin Public Defender Board; and **MAI NENG XIONG**, in her official capacity as a member of the Wisconsin Public Defender Board,

Defendants.

Case No. 2022-CV-1027

Hon. Thomas J. Walsh

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**PLAINTIFFS' NOTICE OF MOTION AND  
RENEWED MOTION FOR CLASS CERTIFICATION**

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PLEASE TAKE NOTICE that Plaintiffs move this Court to certify the following class under Section 803.08 of the Wisconsin Statutes:

All individuals who, after January 1, 2019, have been charged by the State of Wisconsin with a crime that carries a potential term of imprisonment, appeared before a judge for an initial appearance, requested and were found eligible for public defense counsel, yet did not receive public defense counsel within 30 days after their initial appearances solely because the SPD failed to appoint an attorney on their behalf.

The reasons why the Court should grant Plaintiffs' motion and certify the class are set forth in Plaintiffs' Memorandum of Law in Support of Plaintiffs' Renewed Motion for Class Certification, which is filed concurrently herewith. This motion may be heard at a date and time that the Court will determine.

WHEREFORE, after receiving briefs from the parties and holding a motion hearing, the Court should grant Plaintiffs' motion for class certification.

Dated: January 10, 2025

By: /s/ Sean H. Suber

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**CERTIFICATE OF SERVICE**

I certify that in compliance with Wis. Stat. § 801.18(6), I electronically filed the foregoing with the clerk of court using the Wisconsin Circuit Court Electronic Filing System, which will accomplish electronic notice and service for all participants who are registered users.

Date: January 10, 2025

By: /s/ Sean H. Suber  
SEAN H SUBER

*An Attorney for Plaintiffs and the Putative Class*