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DISTRICT II

April 25, 2012

To:

Hon. David T. Flanagan III
Circuit Court Judge
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You are hereby notified that the Court has entered the following opinion and order:

2012AP557-LV

Milwaukee Branch of the NAACP v. Scott Walker
(L.C. # 2011CV5492)

Before Brown, C.J., Reilly and Gundrum, JJ.

The petitioners, Scott Walker, et al., seek leave to appeal a nonfinal order entered by the circuit court on March 6, 2012. In addition, they move to stay the circuit court's temporary

injunction, which was also issued March 6, 2012. The respondents, Milwaukee Branch of the NAACP, et al., oppose the petition and motion to stay.

On March 28, 2012, this court certified both the petition for leave to appeal and accompanying motion to stay to the Wisconsin Supreme Court for its review and determination. On April 16, 2012, the Wisconsin Supreme Court issued an order refusing the certification.

Since the Wisconsin Supreme Court's order, the matter has proceeded to trial and is currently awaiting a decision by the circuit court pending final briefing by the parties. Given this procedural posture, we decline to grant the petitioners' petition for leave to appeal and motion to stay.

Upon the foregoing reasons,

IT IS ORDERED that the petition for leave to appeal is denied without costs.

IT IS FURTHER ORDERED that the motion to stay the temporary injunction is denied.

Diane M. Fremgen
Clerk of Court of Appeals