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## THE GWC SMEAR AD

*GWC flailing to distract voters from Butler's record; Butler votes handcuff law enforcement*

[Burnett County, Wisc....] The Gableman for Supreme Court campaign today released the entire list of Judge Gableman's cases that have been appealed, which demonstrate the Greater Wisconsin Committee's (GWC) ad "Bottom" to be patently false.

The new GWC television ad states, "*And Gableman's decisions are ruled incorrect and overturned by higher courts about 1/3 of the time.*"

Judge Gableman's actual record and reversal rate is as follows:

- 23,545 cases presided over.
- 44 cases have been appealed.
- Of the 44 appealed cases:
  - 23 cases affirmed.
  - 13 cases dismissed.
  - 6 cases reversed.
  - 2 cases affirmed in part/reversed in part.

Judge Gableman has been reversed 6 times in 23,544 cases (.02%). Even of the 44 appealed cases, 77% of them have been affirmed and only 13% have been reversed – not 33% as the GWC falsely claims.

Darrin Schmitz, Gableman for Supreme Court campaign consultant, said the GWC is purposefully peddling a lie regarding Judge Gableman's record because Louis Butler's anti-law enforcement decisions are indefensible.

"Louis Butler cannot defend his decision to strip prosecutors of the ability to keep dangerous inmates behind bars or his vote to ban police officers from asking a witness to ID a suspect near a crime scene," said Schmitz. "The men and women of law enforcement should be the ones doing the handcuffing. But Louis Butler has handcuffed their efforts to fight crime with activist rulings and legal loopholes."

Louis Butler was a criminal defense lawyer before becoming a judge and was appointed to the state's highest court after losing the 2000 Supreme Court election by a 2-1 margin. His appointment and subsequent activist votes resulted in a series of controversial criminal case rulings and opinions:

***State v. Stenklyft:*** Butler's vote reversed a state law that gave prosecutors the right to veto an inmate's petition for early release. The ruling prohibits prosecutors from using this tool to keep violent criminals, drug dealers, sex offenders and other criminals from being released early.

***State v. Dubose:*** Butler's vote prohibited law enforcement from asking crime victims and witnesses to identify a suspect at or near a crime scene unless it was "necessary". His decision makes it more difficult for police officers to investigate crimes.

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	<b>Affirmed</b>	<b>Dismissed</b>	<b>Denied</b>	<b>Reversed</b>	<b>Affirmed Reversed Remanded</b>		
<b>2003</b>							
St v McCormack 87CF112			Supervisory writ denied 2-19-03				1
St v Larry Devlin 02CF83			Leave to appeal denied 2-26-03				2
Lyman v Yourchuck 02CV22			Leave to appeal denied 3-05-03				3
Ellis v Pet Store 02SC276		7-22-03 lack of jurisdiction					4
St v Renee Mosay 98CT32	11-11-03						5
St v McCormack 87CF112	11-25-03						6
<b>2004</b>	<b>Affirmed</b>	<b>Dismissed</b>	<b>Denied</b>	<b>Reversed</b>	<b>Affirmed Reversed Remanded</b>		
Stadler v Stadler 02FA31	3-02-04						7
St v Michael Marion 02CT74		4-12-04					8
Stanford v Nextel 02SC313				4-13-04			9
St v Randy Lunde 02CF39		Voluntary Dismissal 7-30-04					10
St v Curtis Johnson 03FO96	8-24-04						11

<b>2004 cont.</b>	<b>Affirmed</b>	<b>Dismissed</b>	<b>Denied</b>	<b>Reversed</b>	<b>Affirmed Reversed Remanded</b>		
St v Jackie Pardun 02CF154 03CM444 consolidated	10-12-04						12
Kudlick v Bivens 02CV117	12-21-04						13
<b>2005</b>	<b>Affirmed</b>	<b>Dismissed</b>	<b>Denied</b>	<b>Reversed</b>	<b>Affirmed Reversed Remanded</b>		
Budge v Tetrault 04SC329		Voluntary Dismissal 1-28-05					14
Lyman v Yourchuck 02CV22					3-29-05		15
Pearson v Cobb 02CV200					5-17-05		16
St v Dana Stadler 02CF59		6-15-05					17
Graves v Johnson 04FA12		Voluntary Dismissal 6-16-05					18
St v Rick Haner 04CF65		Voluntary Dismissal 9-26-05					19
St v Rodney Opperud 03CF50 03CF51 consolidated				Reversed and remanded 11-15-05			20
Burnett Cty v Tera L R 05TP1				11-22-05			21
St v David Diver	12-20-05						22

04CF37							
<b>2006</b>	<b>Affirmed</b>	<b>Dismissed</b>	<b>Denied</b>	<b>Reversed</b>	<b>Affirmed Reversed Remanded</b>		
St v Darren Merrill 04CT89	1-10-06						23
St v Larry Livingston 03CF99	1-10-06						24
May v Bonngard 03CV201	1-18-06						25
Cummings v Cummings 04FA27	1-24-06						26
St v McCormack 87CF112	3-14-06						27
Ritcey v Ritcey 02FA131	5-23-06						28
St v Judy Garbow 99CT66	5-23-06						29
Drake v Burnett Cty 04CV110	5-31-06						30
Holmgreen v Hulleman 04CV74	6-13-06						31
Bowman v Pekkala 05FA4	7-05-06						32
Burnett Cty v Scott Snyder 05TR1523		Delinquency dismissal 7-13-06					33
Gatten v Perket 98PA64				7-18-06			34
St v Larry Gleason 04CT191	8-15-06						35

Burnett Cty v Tera L R 05TP4	11-28-06						36
<b>2007</b>	<b>Affirmed</b>	<b>Dismissed</b>	<b>Denied</b>	<b>Reversed</b>	<b>Affirmed Reversed Remanded</b>	<b>Pending</b>	
Chute v Amica 04CV156				1-30-07			37
St v Kim Miller 05CF68	4-10-07						38
Rechsteiner v Hazelden 05CV137	5-22-07						39
Washburn Cty v Spooner 06CV75		Voluntary dismissal 6-27-07					40
Carpenter v Bown 06CV34		Lack of jurisdiction 7-18-07					41
Burnett Cty v Katherine Larsen 06TR210	8-28-07						42
Wambolt v Jones 03CV03				reversed and remanded 01-09-08			43
St v Perry Staples 06CF68	10-30-07						44