STATE OF WISCONSIN

C O U R T O F A P P E A L S

DISTRICT @

Appeal No. @

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

CLIENT,

Defendant-Appellant.

**RULE 808.07(2) MOTION FOR STAY PENDING APPEAL**

CLIENT, by counsel, Assistant State Public Defender NAME, moves this court for a stay of the ORDER pending the final resolution of CLIENT’s appeal. This motion is made under Wis. Stat. §§ 808.07, 809.12, 809.14 and *State v. Gudenschwager,* 191 Wis. 2d, 431, 529 N.W.2d 225 (1995).

The grounds for this motion are:

**BACKGROUND**

**REASONS FOR STAY**

Wisconsin Stat. § 808.07(2)(a) authorizes this court to stay the execution or enforcement of a judgment or order. To obtain a stay until the appeal is resolved, CLIENT must make: (a) a strong showing that he is likely to succeed on the merits of his appeal; (b) a showing that unless the stay is granted he will suffer irreparable harm; (c) a showing that no substantial harm will come to other interested parties; and (d) a showing that a stay will do no harm to the public interest. *Gudenschwager*, 191 Wis. 2d at 441.

In this case, consideration of the factors supports this court’s grant of a stay pending appeal. Specifically,

1. **Likelihood of success on the merits.**
2. **Irreparable harm to CLIENT**
3. **Harm to other parties or the public interest**

**CONCLUSION**

Dated this @ day of @, @.

Respectfully submitted,

*Electronically signed by   
Name of Attorney*

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@Title

State Bar No. @

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Attorney for @