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February 16, 2018

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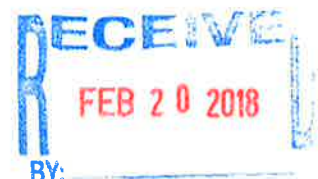
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You are hereby notified that the Court has entered the following opinion and order:

2018AP264-W

State ex rel. MHPI v. Circuit Court for Dane Co.
(L.C. # 2010CV1576)

Before Lundsten, P.J., Sherman and Blanchard, JJ.

The petitioners, collectively known as the Military Housing Privatization Initiative (MHPI) Projects, petition for a supervisory writ of prohibition seeking to permanently enjoin the circuit court from enforcing an injunction it issued on February 7, 2018. They also move for a temporary stay pending disposition of their writ petition.

A supervisory writ is a mechanism by which a court may compel a public official to perform or refrain from performing a certain act. *State ex rel. Oman v. Hunkins*, 120 Wis. 2d 86, 88, 352 N.W.2d 220 (Ct. App. 1984). This court will not issue a supervisory writ unless the

circuit court has clearly violated a plain legal duty and the party seeking relief has acted promptly and faces grave hardship or irreparable harm for which there is no other adequate remedy at law. *State ex rel. Kalal v. Circuit Court for Dane County*, 2004 WI 58, ¶17, 271 Wis. 2d 633, 681 N.W.2d 110; *State ex rel. Dressler v. Racine County Circuit Court*, 163 Wis. 2d 622, 630, 472 N.W.2d 532 (Ct. App. 1991).

Here, the MPHI Projects assert that they have no other adequate remedy at law because an appeal would come too late for effective redress. See *State ex rel. Storer Broad, Co. v. Gorenstein*, 131 Wis. 2d 342, 347, 388 N.W.2d 633 (Ct. App. 1986). They have not, however, explained why an appeal with an accompanying motion for relief pending appeal (filed first in the circuit court) would not be an adequate mechanism for addressing their claim, since the injunction from which they seek relief appears to be a final and appealable order.

Therefore,

IT IS ORDERED that the petition for a supervisory writ of prohibition and accompanying motion for a stay are denied on the grounds that an appeal is an available alternate mechanism for seeking relief.

Diane M. Fremgen
Acting Clerk of Court of Appeals