

BY THE COURT:



Judge William F. Hue

6-21-21

Date

FILED
JUN 21 2021
Jefferson County
Circuit Court

STATE OF WISCONSIN CIRCUIT COURT JEFFERSON COUNTY

ARCHDIOCESE OF MILWAUKEE,

Plaintiff,

v.

Case Number: 2021CV157

WISCONSIN DEPARTMENT
OF CORRECTIONS and

KEVIN A. CARR, in his official
capacity as Secretary of the Wisconsin
Department of Corrections,

Defendants.

PROVISIONAL WRIT OF MANDAMUS

To the Defendants Wisconsin Department of Corrections and Kevin Carr, in his official capacity as Secretary of the Wisconsin Department of Corrections:

Whereas, the Plaintiff, Archdiocese of Milwaukee, having filed a Motion for a Provisional Writ of Mandamus, and this matter having come before the Court for a hearing on June 18, 2021, at 10:00 a.m., at the Jefferson County Courthouse, for the reasons stated on the record in the matter this Court hereby **GRANTS** the request for a provisional writ of mandamus and finds:

1. The Plaintiff has a clear legal right, and the Defendants a plain and positive duty;
2. The Plaintiff has established that it will suffer substantial damages or injury should the writ not issue; and
3. The Plaintiff has no other adequate remedy at law;

Therefore, this Court now issues a Provisional Writ of Mandamus as follows:

Defendants are hereby commanded to comply forthwith with the provisions of Wis. Stat. § 301.33(1) and, subject to reasonable exercise of the privilege, the clergy members of the Plaintiff Archdiocese of Milwaukee shall have the opportunity, at least once each week, to conduct in-person religious services within the state correctional institutions.

This mandate will remain in effect until this litigation terminates or further order of this Court.