SITE NAVIGATION
Ballotpedia's Candidate Survey
2023 Elections
2024 Elections
Ballotpedia's 2022 elections analysis
The Biden administration
Government
Politics and policy
About us

FREESPOKE
Same searches, different results.

Gary Sherman

Gary E. Sherman was a judge on the Wisconsin Court of Appeals District IV. He was appointed by Democratic Governor Jim Doyle effective May 10, 2010.[1][2][3][4] Sherman retired on July 4, 2019.[5] He would have next been up for election in 2020.

Gary Sherman

Nonpartisan

Prior offices

Wisconsin Court of Appeals District IV

Education

Bachelor's	University of Wisconsin, Madison, 1970
Law	University of Wisconsin Law School, 1973

Education

Sherman received his B.A. from the University of Wisconsin-Madison in 1970 and his J.D. from the University of Wisconsin Law School in 1973.[4]

Military service

Sherman was a member of the United States Air Force. He served as legal counsel.

Career

- **2010-2019:** Judge, Wisconsin Court of Appeals District IV
- **1998-2010:** Democratic Member, Wisconsin State Assembly, 74th District
- **1990-2010:** Attorney in private practice[4]

Wisconsin State Assembly

Sponsored legislation

Legislation sponsored in 2009 includes:[6]

- AB-59 Bicycle and EPAMD requirements eliminated re distance from a parked vehicle and audible signal when passing; opening door of a motor vehicle on a highway without checking traffic first prohibited
- AB-295 Lodging establishment may permit smoking in certain guest rooms
- AB-344 Ferry operation after hours to transport arrested person; fee to reimburse law enforcement agency created

Campaign donors

The top five donors to Sherman's 2008 campaign for the Assembly were labor and professional organizations:[7]

- 1. WI Education Assoc Council $500
- 2. WI Federation of Nurses & Health Professionals $500
- 3. North Central States Regional Council of Carpenters $500
- 4. Northwest United Educators $500
- 5. WI Laborers District Council $500

Awards and associations

- **1975-1999:** Chief, Port Wing Fire Department
- **1994-1995:** President, Wisconsin Bar Association
- Member, American Law Institute
- Member, Post 531- American Legion
- Member, Post 1998 - American Veterans
- Member, Democratic Party of Wisconsin
- Member, Group Insurance Board
- Member, Port Wing Baseball Club
- Member, Red Cliff Bar
- Member, Wisconsin Association of Criminal Defense Lawyers[8]

Elections

2014

See also: Wisconsin judicial elections, 2014

Sherman ran for re-election to the Wisconsin Court of Appeals District IV.

General: He won without opposition in the general election on April 1, 2014.[9]

Noteworthy cases

Judge rules student's vulgar YouTube video protected

See also: Wisconsin Court of Appeals District IV

Fourth District Court of Appeals Judge Gary Sherman ruled on November 27 that a vulgar YouTube video posted by a 15-year-old student is protected under the First Amendment as free speech.[10] His judgment partly affirms and partly overturns an earlier ruling made at the trial level. The student, identified by court documents as **"Kaleb K."** posted the defamatory video about his Spanish teacher at Stevens Point Area High School.[10]

In September 2012, Judge Thomas Flugaur of the Portage County Circuit Court found Kaleb delinquent for disorderly conduct and breaking Wisconsin's law against abusing a computer communications system.[10][11] The law prohibits the sending of messages meant to "frighten, intimidate or abuse another person with the expectation the target will receive the message."[12] Flugaur stated that the video was one of the most obscene and hate-filled things he's ever seen.[10] The boy's attorney, public defender **Eileen Hirsch** argued that the video was protected under the First Amendment. Hirsch also argued that posting it on YouTube did not constitute sending a message because the boy took measures to ensure his teacher wouldn't see it by telling his friends to keep the video "on the down low and stuff."[11]

In the appeal, handled for the state by Portage County District Attorney **Veronica Fay Isherwood**, Judge Gary Sherman overturned the original judgment by ruling that the First Amendment did protect the video.[12] He noted that in the trial court, prosecutors failed to raise the argument that the video was not protected speech due to it's defamatory nature. Therefore, the same argument was invalidated at the appellate level. Sherman upheld the original ruling in part by rejecting the boy's claim that posting a YouTube video does not amount to sending a message. Kaleb had testified at the trial level that his intent in posting his videos to YouTube was "to get lucky and get a bunch of views on a video or something."[13] Kaleb had used his YouTube username on a project for the teacher who was the subject of the video, told people about the video and posted it on a public forum.[13] Because of this, Sherman concluded that the arguments that Kaleb had taken measures to ensure the teacher did not see the video were without merit.

In light of Sherman's verdict, Hirsch questioned how the court could issue a split ruling, arguing the boy can't be prosecuted if the video is protected speech. She stated that she hasn't spoken with the boy about taking further action with the case.[11]

AD
BARRON'S
I'm not confident about my family's future.
Discover a financial advisor who inspires peace of mind. Find a top advisor at barrons.com/directory

Recent news

The link below is to the most recent stories in a Google news search for the terms **Wisconsin Court of Appeals Gary Sherman.** These results are automatically generated from Google. Ballotpedia does not curate or endorse these articles.

Gary Sherman - Google News

See also

Wisconsin

Courts in Wisconsin
Wisconsin Court of Appeals
Wisconsin Supreme Court

Judicial Selection

Elections: 2023 • 2022 • 2021 • 2020 • 2019 • 2018 • 2017
Gubernatorial appointments
Judicial selection in Wisconsin

More Courts

Federal courts
State courts
Local courts

External links

- Official Wisconsin Court System website
- Analysis of Sherman's nomination

Footnotes

1. ↑ *Associated Press*, "Doyle appoints Democratic state Rep. Gary Sherman as appeals court judge," December 4, 2009 *(dead link)*
2. ↑ *Press Release*, "Gov. Doyle: Appoints Gary Sherman as District IV Court of Appeals judge," December 4, 2009
3. ↑ *Wisconsin Court System Third Branch*, "Voters elect new judges in ten counties and at the Court of Appeals," Spring, 2010
4. ↑ 4.0 4.1 4.2 *Wisconsin Court System*, "Gary E. Sherman," accessed April 7, 2014
5. ↑ *Wisconsin Law Journal*, "Eyes seeking applicants for two Court of Appeals vacancies," April 23, 2019

Only the first few references on this page are shown above. Click to show more.

Wisconsin Court of Appeals [show]
Judicial selection in Wisconsin • 2023 elections • 2022 elections • Wisconsin Supreme Court

Wisconsin courts
Federal courts:
Seventh Circuit Court of Appeals • U.S. District Court: Eastern District of Wisconsin, Western District of Wisconsin • U.S. Bankruptcy Court: Eastern District of Wisconsin, Western District of Wisconsin
State courts:
Wisconsin Supreme Court • Wisconsin Court of Appeals • Wisconsin Circuit Courts
State resources:
Courts in Wisconsin • Wisconsin judicial elections • Judicial selection in Wisconsin

AD
LAIRD SUPERFOOD
COFFEE CREAMER WITH FUNCTIONAL MUSHROOMS
BUY NOW

Ballotpedia features 397,573 encyclopedic articles written and curated by our professional staff of editors, writers, and researchers. Click here to contact our editorial staff, and click here to report an error. Click here to contact us for media inquiries, and please donate here to support our continued expansion.