

**COURT OF APPEALS
DECISION
DATED AND FILED**

May 3, 2001

Cornelia G. Clark
Clerk, Court of Appeals
of Wisconsin

NOTICE

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See WIS. STAT. § 808.10 and RULE 809.62.

No. 00-2286-CR

STATE OF WISCONSIN

**IN COURT OF APPEALS
DISTRICT IV**

STATE OF WISCONSIN,

PLAINTIFF-RESPONDENT,

V.

ROBERT C. BEESE,

DEFENDANT-APPELLANT.

APPEAL from an order of the circuit court for Waupaca County:
JOHN P. HOFFMANN, Judge. *Affirmed.*

Before Dykman, P.J., Vergeront and Roggensack, JJ.

¶1 PER CURIAM. Robert Beese appeals an order denying his motion for a reduced sentence. He contends that numerous errors occurred during the proceeding and at sentencing. We affirm.

¶2 The State charged Beese with twenty felony counts of forgery, as a repeater. Beese entered a no contest plea to ten of the counts and, in exchange for the plea, the State dismissed the remaining ten. The parties also agreed to jointly recommend a sentence of ten years in prison, structured as the trial court saw fit. The trial court accepted that recommendation and sentenced Beese to ten concurrent ten-year prison terms, with credit for time served. Beese determined that he did not wish to appeal and forfeited his right to seek postconviction relief under WIS. STAT. RULE 809.30 (1999-2000).¹

¶3 Beese filed his present motion for relief under WIS. STAT. § 974.06. The motion raised issues regarding the accuracy of the PSI, his sentence, the representation he received from trial counsel, whether the police unlawfully seized evidence from him and whether he was wrongfully denied bail during the proceeding. However, all issues were raised in support of the request for a reduced sentence. The motion did not allege that he involuntarily entered his plea or that he wished to vacate it. In fact, Beese alleged in the motion that he negotiated the plea agreement for himself without counsel's aid.

¶4 Having endorsed the plea agreement, and as a part of that plea agreement asked for a ten-year prison sentence, Beese cannot now argue that the trial court erred in imposing it. Affirmative approval of a sentence precludes the defendant from attacking it in postconviction proceedings. *State v. Scherreiks*, 153 Wis. 2d 510, 518, 451 N.W.2d 759 (Ct. App. 1989).

By the Court.—Order affirmed.

¹ All references to the Wisconsin Statutes are to the 1999-2000 version unless otherwise noted.

This opinion will not be published. WIS. STAT. RULE 809.23(1)(b)5.

