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**DISTRICT II**

August 30, 2023

To:

Hon. Jerilyn M. Dietz  
Circuit Court Judge  
Electronic Notice

Angela Conrad Kachelski  
Electronic Notice

April Higgins  
Clerk of Circuit Court  
Manitowoc County Courthouse  
Electronic Notice

Nathaniel A. Swetlik, #713152  
Oshkosh Correctional Inst.  
P.O. Box 3310  
Oshkosh, WI 54903-3310

Winn S. Collins  
Electronic Notice

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

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2023AP577-CRNM      State of Wisconsin v. Nathaniel A. Swetlik (L.C. #2021CF622)

Before Gundrum, P.J., Neubauer and Grogan, JJ.

**Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).**

Nathaniel A. Swetlik appeals from a judgment convicting him of second-degree sexual assault of a child and two counts of possession of child pornography. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2021-22)<sup>1</sup> and *Anders v. California*, 386 U.S. 738 (1967). Swetlik received a copy of the report, was advised of his right to file a response, and has elected not to do so. Upon consideration of the report and an independent

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

review of the Record, we conclude there are no issues with arguable merit for appeal. We summarily affirm the judgment. *See* WIS. STAT. RULE 809.21.

Swetlik was convicted following no contest pleas to second-degree sexual assault of a child and two counts of possession of child pornography. He was accused of sexually assaulting his teenage stepdaughter and taking pictures of her vagina while he thought she was asleep. Several additional charges were dismissed and read in.<sup>2</sup> For his actions, the circuit court imposed an aggregate sentence of twelve years of initial confinement and ten years of extended supervision. This no-merit appeal follows.

The no-merit report addresses the propriety of the plea and sentence and whether grounds exist to challenge either one. This court is satisfied that the no-merit report correctly analyzes the issues it raises as without merit, and we will not discuss them further.

Our review of the Record discloses no other potential issues for appeal.<sup>3</sup> Accordingly, this court accepts the no-merit report, affirms the judgment of conviction, and discharges appellate counsel of the obligation to represent Swetlik further in this appeal.

Upon the foregoing reasons,

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<sup>2</sup> The dismissed and read-in charges were child sexual exploitation and two counts of possession of child pornography.

<sup>3</sup> We note that Swetlik's pleas forfeited the right to raise other nonjurisdictional defects and defenses, including claimed violations of constitutional rights. *See State v. Kelty*, 2006 WI 101, ¶18 & n.11, 294 Wis. 2d 62, 716 N.W.2d 886; *see also State v. Lasky*, 2002 WI App 126, ¶11, 254 Wis. 2d 789, 646 N.W.2d 53.

IT IS ORDERED that the judgment of the circuit court is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Angela Conrad Kachelski is relieved of further representation of Nathaniel A. Swetlik in this appeal. *See* WIS. STAT. RULE 809.32(3).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

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*Samuel A. Christensen*  
*Clerk of Court of Appeals*