

**COURT OF APPEALS  
DECISION  
DATED AND FILED**

**October 4, 2011**

A. John Voelker  
Acting Clerk of Court of Appeals

**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.

**Appeal No. 2010AP2673-CR**

**Cir. Ct. No. 2008CF3115**

**STATE OF WISCONSIN**

**IN COURT OF APPEALS  
DISTRICT I**

---

**STATE OF WISCONSIN,**

**PLAINTIFF-RESPONDENT,**

**v.**

**BOBBY L. WILLIAMS,**

**DEFENDANT-APPELLANT.**

---

APPEAL from a judgment and an order of the circuit court for Milwaukee County: CARL ASHLEY, Judge. *Affirmed.*

Before Curley, P.J., Fine and Kessler, JJ.

¶1 PER CURIAM. Bobby L. Williams appeals a judgment convicting him of second-degree reckless homicide, while armed with a dangerous weapon. He also appeals an order denying his motion for resentencing. He argues that the circuit court erroneously exercised its discretion in sentencing him. We affirm.

¶2 Williams was convicted of second-degree reckless homicide for shooting into a crowd of people standing on a porch. Williams contends that the circuit court erroneously exercised its sentencing discretion because it did not provide an adequate explanation for imposing the maximum sentence of thirty years of imprisonment, which the court divided into twenty years of initial confinement and ten years of extended supervision. He argues that the circuit court's comments do not show that it engaged in a "process of reasoning" in concluding that the maximum sentence was necessary.

¶3 The circuit court erroneously exercises its sentencing discretion when it fails to adequately explain the reasons for its sentence. *State v. Hall*, 2002 WI App 108, ¶10, 255 Wis. 2d 662, 648 N.W.2d 41. "[T]here is a three-fold rationale for requiring sentencing courts to make a sufficient record detailing their reasons for the sentence imposed." *Id.*, 255 Wis. 2d 662, ¶11. First, making a sufficient record "provide[s] the defendant, the victim, the victim's family, and the community as a whole with a satisfactory explanation of the debt owed to society." *Id.* Second, it "provide[s] the appellate courts with an adequate record for review." *Id.* Third, it "aid[s] the trial court in focusing on relevant factors in order to impose just sentences." *Id.*

¶4 As succinctly stated by the circuit court in denying the motion for resentencing, "[t]he record speaks for itself in this case." The sentencing transcript shows that the circuit court considered a variety of factors appropriate to its sentencing decision, most importantly the extraordinarily serious nature of this offense. The circuit court noted that Williams had taken "a shotgun, aimed it at a group of people and pulled the trigger" and stated that "with the spray that a shotgun has you're lucky more people weren't killed." The circuit court considered Williams' challenging family background, but pointed out that it was

“not an excuse for your behavior and your character.” The circuit court also noted that Williams had been involved with weapons from an early age and that he had squandered opportunities given him to participate in programs to change his behavior. The court explained that its sentence was designed to send a message to Williams, and to everybody else, “that if you have this kind of record, if you have this opportunity to have all these resources pumped into changing your behavior, then the community needs some pay-back that you will change your behavior [and] not ... pose a threat to ... our community.” While the circuit court’s explanation of its reasons for imposing the maximum sentence were admittedly brief, they were more than sufficient to demonstrate that the circuit court considered the facts of this case and applied them to the objectives that influenced its sentencing decision. Therefore, the circuit court did not erroneously exercise its sentencing discretion.

*By the Court.*—Judgment and order affirmed.

This opinion will not be published. See WIS. STAT. RULE 809.23(1)(b)5. (2009-10).

