

**COURT OF APPEALS
DECISION
DATED AND FILED**

November 22, 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. 2010AP2629

Cir. Ct. No. 1993CF933836

STATE OF WISCONSIN

**IN COURT OF APPEALS
DISTRICT I**

STATE OF WISCONSIN,

PLAINTIFF-RESPONDENT,

v.

JIMMIE LEE ELLIS,

DEFENDANT-APPELLANT.

APPEAL from orders of the circuit court for Milwaukee County:
MICHAEL GUOLEE, Judge. *Affirmed.*

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

¶1 PER CURIAM. Jimmie Lee Ellis, *pro se*, appeals the circuit court's order denying his motion for postconviction relief under WIS. STAT. § 974.06

(2009-10).¹ He also appeals an order denying his motion for reconsideration. We conclude his claims are barred by *State v. Escalona-Naranjo*, 185 Wis. 2d 168, 185, 517 N.W.2d 157 (1994). Therefore, we affirm.

¶2 “[A]ny claim that could have been raised on direct appeal or in a previous Wis. Stat. § 974.06 ... postconviction motion is barred from being raised in a subsequent § 974.06 postconviction motion, absent a sufficient reason.” *State v. Lo*, 2003 WI 107, ¶2, 264 Wis. 2d 1, 665 N.W.2d 756; *Escalona-Naranjo*, 185 Wis. 2d at 185. Ellis was convicted in 1994 of possession of cocaine with intent to deliver, as a second offense. This is his sixth postconviction motion challenging that conviction. Ellis has not provided a reasonable explanation of why he did not previously raise his current arguments in the many postconviction motions he has brought since his conviction. Because Ellis has not provided a sufficient reason for this failure, he is barred from raising his current claims by *Escalona-Naranjo* and its progeny.

By the Court.—Orders affirmed.

This opinion will not be published.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

¹ All references to the Wisconsin Statutes are to the 2009-10 version unless otherwise noted.

