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DISTRICT II

January 31, 2024

To:

Hon. Jennifer Dorow
Circuit Court Judge
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

Monica Paz
Clerk of Circuit Court
Waukesha County Courthouse
Electronic Notice

Roger D. Stroede, #052000
Stanley Correctional Inst.
100 Corrections Dr.
Stanley, WI 54768

Lauren Jane Breckenfelder
Electronic Notice

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

2023AP2-CRNM State of Wisconsin v. Roger D. Stroede (L.C. #2020CF1963)

Before Neubauer, Grogan and Lazar, 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).

Attorney Lauren Jane Breckenfelder, as appointed counsel for Roger D. Stroede, filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2021-22)¹ and *Anders v. California*, 386 U.S. 738 (1967). Counsel provided Stroede with a copy of the report, and both counsel and this court advised him of his right to file a response. Stroede has not responded. We conclude that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21. After our

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

independent review of the record, we conclude that there is no arguable merit to any issue that could be raised on appeal.

Stroede was convicted of one count of first-degree sexual assault (sexual contact with a child under the age of thirteen). The court imposed a sentence of fifteen years' initial confinement and five years' extended supervision.

The no-merit report addresses whether Stroede's plea was entered knowingly, voluntarily, and intelligently. The plea colloquy sufficiently complied with the requirements of *State v. Brown*, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906, and WIS. STAT. § 971.08 relating to the nature of the charge, the rights Stroede was waiving, and other matters. The record shows no other ground to withdraw the plea. There is no arguable merit to this issue.

The no-merit report addresses Stroede's sentence. The sentence is within the legal maximum. As to discretionary issues, the standards for the circuit court and this court are well-established and need not be repeated here. See *State v. Gallion*, 2004 WI 42, ¶¶17-51, 270 Wis. 2d 535, 678 N.W.2d 197. In this case, the court considered appropriate factors, did not consider improper factors, and reached a reasonable result. There is no arguable merit to this issue.

Our review of the record discloses no other potential issues for appeal.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Lauren Jane Breckenfelder is relieved of further representation of Roger D. Stroede in this matter. *See* WIS. STAT. RULE 809.32(3).

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

Samuel A. Christensen
Clerk of Court of Appeals