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DISTRICT III

March 5, 2024

To:

Hon. Gregory J. Strasser
Circuit Court Judge
Electronic Notice

Leonard D. Kachinsky
Electronic Notice

Kelly Schremp
Clerk of Circuit Court
Marathon County Courthouse
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

Annmarie D. Kislow
6300 Birch Street, Lot 31
Schofield, WI 54476

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

2022AP2034-CRNM State of Wisconsin v. Annmarie D. Kislow
(L. C. No. 2021CF339)

Before Stark, P.J., Hruz and Gill, 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 Leonard D. Kachinsky, as appointed counsel for Annmarie D. Kislow, 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 Kislow with a copy of the report, and both counsel and this court advised her of the right to file a response. Kislow 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 and the no-merit report, we conclude that there is no arguable merit to any issue that could be raised on appeal.

Kislow pled no contest to one count of criminal damage to property and one count of disorderly conduct, both as domestic abuse repeaters. *See* WIS. STAT. §§ 943.01(1), 947.01(1), 939.621(1)(b), 968.075(1)(a). Pursuant to a plea agreement, the State dismissed and read in a charge in a separate criminal case. The circuit court withheld sentence and imposed concurrent three-year terms of probation on each count. Kislow filed a notice of appeal, and her appointed appellate counsel filed a no-merit report.

The no-merit report addresses whether Kislow's pleas were entered knowingly, voluntarily, and intelligently. This court's independent review of the record reveals that the plea colloquy sufficiently complied with the requirements of *State v. Bangert*, 131 Wis. 2d 246, 255-73, 389 N.W.2d 12 (1986), and WIS. STAT. § 971.08 relating to the nature of the charges, Kislow's understanding of the proceedings and the voluntariness of the plea decision, the penalty ranges and other direct consequences of the pleas, and the constitutional rights being waived. We agree with counsel's assessment that Kislow's pleas were entered knowingly, voluntarily, and intelligently. There is no arguably meritorious basis for plea withdrawal.

The no-merit report also addresses Kislow's sentences. As discussed in the no-merit report, the sentences are within the legal maximums. As to discretionary sentencing 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 circuit court considered appropriate factors, did not consider improper factors, and reached a reasonable result within the applicable penalty ranges. 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 is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Leonard D. Kachinsky is relieved of further representation of Annmarie D. Kislow 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