



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215
P.O. BOX 1688
MADISON, WISCONSIN 53701-1688
Telephone (608) 266-1880
TTY: (800) 947-3529
Facsimile (608) 267-0640
Web Site: www.wicourts.gov

DISTRICT III

March 26, 2024

To:

Hon. Sarah M. Harless
Circuit Court Judge
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

Susan Schaffer
Clerk of Circuit Court
Eau Claire County Courthouse
Electronic Notice

Matthew T. Roge 429530
Redgranite Correctional Inst.
P.O. Box 925
Redgranite, WI 54970-0925

Megan Elizabeth Lyneis
Electronic Notice

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

2022AP2050-CRNM State of Wisconsin v. Matthew T. Roge
(L. C. No. 2020CF1538)

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 Megan Elizabeth Lyneis, as appointed counsel for Matthew Roge, 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 Roge with a copy of the report, and both counsel and this court advised him of his right to file a response. Roge 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.

Roge pled guilty to one count of physical abuse of a child and one count of second-degree recklessly endangering safety. The circuit court imposed consecutive sentences totaling seven years of initial confinement followed by eight years of extended supervision.

The no-merit report addresses whether Roge's pleas were 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 charges, the rights Roge was waiving, an adequate factual basis for the charge, and other matters. The record shows no other grounds to withdraw the pleas. There is no arguable merit to this issue.

The no-merit report addresses Roge's sentences. As explained in the no-merit report, the sentences are 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 circuit 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. WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Megan Elizabeth Lyneis is relieved of further representation of Matthew Roge 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