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**DISTRICT II**

October 23, 2024

To:

Hon. Michael S. Kenitz  
Circuit Court Judge  
Electronic Notice

Sherry Coykendall  
Register in Probate  
Washington County Courthouse  
Electronic Notice

Bradley Scott Stern  
Washington County Corporation Counsel  
432 E Washington St, Ste. 3029  
PO Box 1986  
West Bend, WI 53095-8986

Lucas Swank  
Electronic Notice

E.A.

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

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2024AP1083-NM      Washington County v. E.A. (L.C. #2023ME119)

Before Gundrum, P.J.<sup>1</sup>

**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).**

In this WIS. STAT. ch. 51 case, E.A. appeals from orders committing her for mental health treatment and authorizing the involuntary administration of medication and treatment. E.A.'s appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 and *Anders v. California*, 386 U.S. 738 (1967). E.A. filed a response. After reviewing the record, counsel's

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<sup>1</sup> This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(d) (2021-22). All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

report, and E.A.'s response, we conclude there are no issues with arguable merit for appeal. Therefore, we summarily affirm the orders. *See* WIS. STAT. RULE 809.21.

On July 31, 2023, West Bend police came upon E.A., who appeared to be in distress. She was walking into a roadway with oncoming traffic. She claimed to be God and spoke of “drowning babies.” She also reacted violently when police attempted to restrain her. Police filed a statement of emergency detention, and a probable cause hearing was promptly held.

At the probable cause hearing, one of the responding officers recounted E.A.'s peculiar behavior on the day she was detained. Moreover, the psychiatrist who examined E.A. testified that she was mentally ill (suffering from an unspecified psychotic schizophrenia), a proper subject for treatment, a danger to herself and others, and not competent to refuse medication. Ultimately, the circuit court found probable cause to proceed and scheduled a final hearing.

At the final hearing, E.A. elected to stipulate to the orders requested by the County. The circuit court engaged in a colloquy to ensure that the stipulation was knowingly, voluntarily, and intelligently entered. Based upon the stipulation, the court found grounds for both commitment and the involuntary administration of medication and treatment. It subsequently entered orders to that effect. This no-merit appeal follows.

The no-merit report addresses whether E.A.'s stipulation was binding and whether there was sufficient evidence to support the necessary findings for the circuit court orders. This court is satisfied that the no-merit report correctly analyzes the issues it raises as without merit, and we will not discuss them further.

As noted, E.A. filed a response to counsel's no-merit report. In it, she offers excuses for her behavior and questions the police's account of what happened. She also discusses her experience with paranormal activity and the universal life energy known as Reiki. We are not persuaded that E.A.'s response undermines her stipulation or otherwise presents an issue of arguable merit.<sup>2</sup>

Our independent review of the record does not disclose any potentially meritorious issue for appeal. Because we conclude that there would be no arguable merit to any issue that could be raised on appeal, we accept the no-merit report and relieve Attorney Lucas Swank of further representation of E.A. in this appeal.

Upon the foregoing reasons,

IT IS ORDERED that the orders of the circuit court are summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Lucas Swank is relieved of further representation of E.A. in this appeal. *See* WIS. STAT. RULE 809.32(3).

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<sup>2</sup> At one point in her response, E.A. complains that she was not allowed to see any evidence against her. However, she was present at the probable cause hearing. Thus, she was able to see and hear the County's case against her before the final hearing. At the final hearing, E.A. assured the circuit court that (1) she wished to stipulate; (2) she had had enough time to talk to her attorney; (3) no one was forcing her to enter the stipulation; and (4) she had no questions for the court.

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

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*Samuel A. Christensen*  
*Clerk of Court of Appeals*