

**COURT OF APPEALS
DECISION
DATED AND RELEASED**

May 23, 1996

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See § 808.10 and RULE 809.62, STATS.

NOTICE

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

No. 95-1289-CR

STATE OF WISCONSIN

**IN COURT OF APPEALS
DISTRICT IV**

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

LARRY BRACEY, JR.,

Defendant-Appellant.

APPEAL from a judgment and an order of the circuit court for Dodge County: JOSEPH E. SCHULTZ, Reserve Judge. *Affirmed.*

Before Eich, C.J., Gartzke, P.J., and Vergeront, J.

PER CURIAM. Larry Bracey, Jr. appeals from a judgment of conviction for battery by a prisoner and a postconviction order. The issue is whether trial counsel's performance was deficient and prejudicial to Bracey's defense. We conclude that Bracey received effective assistance of trial counsel. Therefore, we affirm the trial court's judgment and order.

The trial court applied the proper legal standards to the relevant facts and reached the correct decision. Therefore, we incorporate the trial court's memorandum decision and affirm its judgment and order. *See* WIS. CT. APP. IOP VI (5)(a) (June 13, 1994) (court of appeals may adopt the trial court's opinion).

By the Court. – Judgment and order affirmed.

This opinion will not be published. *See* RULE 809.23(1)(b)5, STATS.

AN EXHIBIT HAS BEEN ATTACHED TO THIS
OPINION. THE EXHIBIT CAN BE OBTAINED UNDER SEPARATE
COVER BY CONTACTING THE WISCONSIN COURT OF APPEALS.

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