



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  
Facsimile (608) 267-0640  
Web Site: www.wicourts.gov

**DISTRICT II**

August 28, 2013

To:

Hon. Robert J. Wirtz  
Circuit Court Judge  
Fond du Lac County Courthouse  
160 South Macy Street  
Fond du Lac, WI 54935

Ramona Geib  
Clerk of Circuit Court  
Fond du Lac County Courthouse  
160 South Macy Street  
Fond du Lac, WI 54935

Angela Dawn Dirden  
P.O. Box 22424  
Green Bay, WI 54305

Eric Toney  
District Attorney  
Fond du Lac County  
160 South Macy Street  
Fond du Lac, WI 54935

Gregory M. Weber  
Assistant Attorney General  
P.O. Box 7857  
Madison, WI 53707-7857

Bobbi A. Altman  
Robert Ellsworth Corr. Cntr  
21425-A Spring Street  
Union Grove, WI 53182-9408

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

---

2013AP1361-CRNM      State of Wisconsin v. Bobbi A. Altman (L.C. # 2000CF108)

Before Brown, C.J., Neubauer, P.J., and Gundrum, J.

Bobbi A. Altman appeals from a judgment sentencing her after revocation of her probation for two counts of maintaining a drug trafficking place, as a party to a crime. Altman's appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2011-12)<sup>1</sup> and *Anders v. California*, 386 U.S. 738 (1967). Altman received a copy of the report, was advised of her right to file a response, and has elected not to do so. After reviewing the record and

---

<sup>1</sup> All references to the Wisconsin Statutes are to the 2011-12 version.

counsel's report, we conclude that there are no issues with arguable merit for appeal. Therefore, we summarily affirm the judgment. WIS. STAT. RULE 809.21.

The no-merit report addresses whether the circuit court properly exercised its discretion in imposing its sentences after revocation. The circuit court's duty at sentencing after probation revocation is the same as its duty at the original sentencing. *State v. Wegner*, 2000 WI App 231, ¶7 n.1, 239 Wis. 2d 96, 619 N.W.2d 289.

Here, the record reveals that the circuit court's sentencing decision had a "rational and explainable basis." *State v. Gallion*, 2004 WI 42, ¶76, 270 Wis. 2d 535, 678 N.W.2d 197. In imposing an aggregate sentence of three years of imprisonment, the court considered the seriousness of the offense, Altman's character, and the need to protect the public. *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76. Under the circumstances of the case, which were aggravated by Altman's absconding from probation and use of cocaine while on supervision, the sentencing decision does not "shock public sentiment and violate the judgment of reasonable people concerning what is right and proper." See *Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975). We agree with counsel that a challenge to Altman's sentences would lack arguable merit.

Our independent review of the record does not disclose any potentially meritorious issue for appeal.<sup>2</sup> Because we conclude that there would be no arguable merit to any issue that could

---

<sup>2</sup> Any challenge to the underlying convictions of maintaining a drug trafficking place, as a party to a crime, is outside the scope of this appeal. See *State ex rel. Marth v. Smith*, 224 Wis. 2d 578, 582 n.5, 592 N.W.2d 307 (Ct. App. 1999).

be raised on appeal, we accept the no-merit report and relieve Attorney Angela D. Dirden of further representation in this matter.

Upon the foregoing reasons,

IT IS ORDERED that the judgment of the circuit court is summarily affirmed pursuant to WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Angela D. Dirden is relieved of further representation of Altman in this matter.

---

*Diane M. Fremgen*  
*Clerk of Court of Appeals*