



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 IV

December 17, 2013

To:

Hon. Nicholas J. Brazeau, Jr.
Circuit Court Judge
400 Market St
Wisconsin Rapids, WI 54494

Craig S. Lambert
District Attorney
P. O. Box 8095
Wisconsin Rapids, WI 54494-8095

Cindy Joosten
Clerk of Circuit Court
Wood County Courthouse
400 Market Street, P.O. Box 8095
Wisconsin Rapids, WI 54494

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

Brandon Kuhl
Kuhl Law LLC
P. O. Box 266
Stevens Point, WI 54481-0266

Jeffrey A. Gollhardt 480776
Jackson Corr. Inst.
P.O. Box 233
Black River Falls, WI 54615-0233

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

2012AP2214-CRNM State of Wisconsin v. Jeffrey A. Gollhardt (L.C. #2011CF306)

Before Blanchard, P.J., Lundsten and Higginbotham, JJ.

Attorney Brandon Kuhl, appointed counsel for Jeffrey Gollhardt, has filed a no-merit report pursuant to *Anders v. California*, 386 U.S. 738 (1967) and WIS. STAT. RULE 809.32 (2011-12).¹ Counsel provided Gollhardt with a copy of the report, and both counsel and this court advised him of his right to file a response. Gollhardt has not responded. We conclude that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21(1). After our

¹ All references to the Wisconsin Statutes are to the 2011-12 version unless otherwise noted.

independent review of the record, we conclude there is no arguable merit to any issue that could be raised on appeal.

Gollhardt pled no contest to one count of third-degree sexual assault. The court imposed a sentence of two years of initial confinement and three years of extended supervision.

The no-merit report addresses whether Gollhardt's pleas were entered knowingly, voluntarily, and intelligently. The plea colloquy sufficiently complied with the requirements of *State v. Bangert*, 131 Wis. 2d 246, 266-72, 389 N.W.2d 12 (1986) and WIS. STAT. § 971.08 relating to the nature of the charge, the rights Gollhardt was waiving, and other matters. The record shows no other ground to withdraw the plea. There is no arguable merit to this issue.

The no-merit report addresses whether the circuit court erroneously exercised its sentencing discretion. The standards for the circuit court and this court on sentencing issues 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 court considered appropriate factors such as Gollhardt's apparent lack of remorse, the need to protect the community, the nature of the crime, and Gollhardt's character and need for treatment. The court 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. *See* WIS. STAT. RULE 809.21(1).

IT IS FURTHER ORDERED that Attorney Kuhl is relieved of further representation of Gollhardt in this matter. *See* WIS. STAT. RULE 809.32(3).

Diane M. Fremgen
Clerk of Court of Appeals