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DISTRICT IV

January 31, 2014

To:

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

2013AP29-CRNM	State of Wisconsin v. Jackie L. Fowler (L.C. #2011CM318)
2013AP30-CRNM	State of Wisconsin v. Jackie L. Fowler (L.C. #2012CM50)
2013AP31-CRNM	State of Wisconsin v. Jackie L. Fowler (L.C. #2012CM102)
2013AP32-CRNM	State of Wisconsin v. Jackie L. Fowler (L.C. #2012CM128)
2013AP33-CRNM	State of Wisconsin v. Jackie L. Fowler (L.C. #2012CM146)
2013AP34-CRNM	State of Wisconsin v. Jackie L. Fowler (L.C. #2012CM148)

Before Blanchard, P.J.¹

Attorney Farheen Ansari, appointed counsel for Jackie Fowler, has filed a no-merit report pursuant to *Anders v. California*, 386 U.S. 738 (1967) and WIS. STAT. RULE 809.32. Counsel

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(f) (2011-12). All references to the Wisconsin Statutes are to the 2011-12 version unless otherwise noted.

provided Fowler with a copy of the report, and both counsel and this court advised him of his right to file a response. Fowler has not responded. I conclude that these cases are appropriate for summary disposition. *See* WIS. STAT. RULE 809.21(1). After my independent review of the records, I conclude there is no arguable merit to any issue that could be raised on appeal.

As part of a plea agreement, Fowler pled no contest to three counts of disorderly conduct, four misdemeanor counts of bail jumping, and one misdemeanor count of battery. The court imposed consecutive sentences of thirty days in jail on each count.

The no-merit report addresses whether Fowler's pleas were entered knowingly, voluntarily, and intelligently. The plea colloquy sufficiently complied with the requirements of *State v. Bangert*, 131 Wis. 2d 246, 255-73, 389 N.W.2d 12 (1986) and WIS. STAT. § 971.08 relating to the nature of the charge, the rights Fowler 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 also addresses whether the 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 the need for punishment, the inappropriateness of probation, Fowler's remorse and health problems, and Fowler's need for treatment. The court did not consider improper factors, and reached a reasonable result. There is no arguable merit to this issue.

My review of the record discloses no other potential issues for appeal.

No conviction was entered in the case underlying appeal No. 2013AP30-CRNM, and therefore no appeal is possible in that case. I dismiss that appeal.

Therefore,

IT IS ORDERED that appeal No. 2013AP30-CRNM is dismissed because there is no conviction to appeal from.

IT IS FURTHER ORDERED that, as to the other appeals, the judgments of conviction are summarily affirmed. *See* WIS. STAT. RULE 809.21(1).

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

*Diane M. Fremgen
Clerk of Court of Appeals*