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DISTRICT II

April 2, 2014

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

2013AP2636-CRNM	State of Wisconsin v. Sarah G. Greuel (L.C. #2012CF474)
2013AP2637-CRNM	State of Wisconsin v. Sarah G. Greuel (L.C. #2012CF569)

Before Neubauer, P.J., Reilly and Gundrum, JJ.

In these consolidated appeals, Sarah G. Greuel appeals from judgments convicting her of (1) delivering a schedule I or II narcotic as a party to a crime and as a repeater; (2) felony bail jumping; and (3) misdemeanor bail jumping. Greuel's appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2011-12)¹ and *Anders v. California*, 386 U.S. 738 (1967). Greuel received a copy of the report, was advised of her right to file a response, and has elected

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

not to do so. Counsel then filed a supplemental no-merit report per this court's order.² After reviewing the record and counsel's reports, we conclude that there are no issues with arguable merit for appeal. Therefore, we summarily affirm the judgments. *See* WIS. STAT. RULE 809.21.

The no-merit reports address the following appellate issues: (1) whether Greuel's pleas were knowingly, voluntarily, and intelligently entered; (2) whether the circuit court erroneously exercised its discretion at sentencing; and (3) whether Greuel was afforded effective assistance of trial counsel.

With respect to the entry of Greuel's pleas, the record shows that the circuit court engaged in a personal colloquy that satisfied the applicable requirements of WIS. STAT. § 971.08(1)(a) and *State v. Brown*, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906. In addition, signed plea questionnaire and waiver of rights forms were entered into the record. We agree with counsel that any challenge to the entry of Greuel's pleas would lack arguable merit.

With respect to sentencing, the circuit court imposed (1) five years of probation for the delivering charge with six months of conditional jail time; (2) three years of probation for the felony bail jumping; and (3) six months of jail for misdemeanor bail jumping, concurrent to the probation. In making this decision, the court considered the seriousness of the offenses, Greuel's character, and the need to protect the public. *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d

² After independently reviewing the record, we discovered one potential issue of arguable merit related to the parties' plea agreement. Specifically, we noted a discrepancy between the terms of the plea agreement as set forth in the plea questionnaire and waiver of rights forms and the State's recommendation at sentencing. We required counsel to investigate the matter, discuss the discrepancy with Greuel, and file either a supplemental no-merit report or an appropriate motion. Counsel has filed a supplemental no-merit report indicating that he has discussed the matter with Greuel and that she does not wish to pursue the issue.

594, 712 N.W.2d 76. Under the circumstances of the cases, the court’s decision does not “shock public sentiment and violate the judgment of reasonable people concerning what is right and proper.” *Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975). We agree with counsel that a challenge to the circuit court’s decision at sentencing would lack arguable merit.³

Finally, with respect to whether Greuel was afforded effective assistance of trial counsel, there is nothing in the record to suggest that her counsel was ineffective. Accordingly, we are satisfied that the no-merit report properly analyzes this issue as without merit, and we will not discuss it further.

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 reports and relieve Attorney Daniel R. Goggin, II, of further representation in these matters.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Daniel R. Goggin, II, is relieved of further representation of Greuel in these matters.

Diane M. Fremgen
Clerk of Court of Appeals

³ Greuel would not be able to challenge the circuit court’s imposition of probation, as that was consistent with the parties’ joint recommendation. *See State v. Magnuson*, 220 Wis. 2d 468, 471-72, 583 N.W.2d 843 (Ct. App. 1998) (defendants may not attack their sentence on appeal when the circuit court imposes the sentence requested by them).