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DISTRICT IV

December 19, 2014

To:

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

2013AP2857-CRNM State of Wisconsin v. Jerry M. Campbell (L.C. #2010CF6)

Before Lundsten, Higginbotham and Kloppenburg, JJ.

Attorney Steven Grunder, appointed counsel for Jerry Campbell, has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2011-12)¹ and *Anders v. California*, 386 U.S. 738 (1967). Counsel provided Campbell with a copy of the report, and both counsel and this court advised him of his right to file a response. Campbell has not responded. After our independent

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

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

In 2010, Campbell pled no contest to one count of felon in possession of a firearm. The court originally withheld sentence and placed Campbell on probation. Campbell's probation was later revoked, and he was returned to court for sentencing. The court imposed a sentence of two years of initial confinement and one year of extended supervision.

An appeal from sentencing after revocation of probation does not bring before us the original judgment of conviction unless the appellant shows good cause to extend the time to appeal from that judgment under WIS. STAT. RULE 809.82(2). See *State v. Drake*, 184 Wis. 2d 396, 399, 515 N.W.2d 923 (Ct. App. 1994). No good cause appears in the record to extend Campbell's time to appeal from the original judgment of conviction, and therefore only issues related to sentencing are now before us.

The no-merit report addresses whether the sentencing 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, 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.

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

Diane M. Fremgen
Clerk of Court of Appeals