

OFFICE OF THE CLERK WISCONSIN COURT OF APPEALS

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DISTRICT I/IV

December 30, 2014

To:

Hon. Jonathan D. Watts Circuit Court Judge 821 W. State St., Br. 15 Milwaukee, WI 53233

John Barrett Clerk of Circuit Court 821 W. State St., Rm. 114 Milwaukee, WI 53233

Timothy L. Baldwin 233 N. Water St., Ste. 302 Milwaukee, WI 53202 Karen A. Loebel Asst. District Attorney 821 W. State St. Milwaukee, WI 53233

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Angel Luis Velazquez, Jr. 2417 W. Lapham St. Milwaukee, WI 53204

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

2013AP2321-CRNM S

State of Wisconsin v. Angel Luis Velazquez, Jr. (L.C. #2012CF004141)

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

Attorney Timothy Baldwin, appointed counsel for Angel Luis Velazquez, Jr., 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 Velazquez with a copy of the report, and both counsel and

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

this court advised him of his right to file a response. Velazquez has not responded. We conclude that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21. After our independent review of the record, we conclude there is no arguable merit to any issue that could be raised on appeal.

Velazquez pled guilty to one count of second-degree recklessly endangering safety by use of a dangerous weapon. The court placed Velazquez on probation, with one year of jail time as a condition, and also imposed and stayed a sentence of three years of initial confinement and two years of extended supervision.

The no-merit report informs us that Velazquez does not want to withdraw his plea.

Therefore, we do not further consider issues related to the plea.

The no-merit report addresses whether the sentence is within the legal maximum and 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, 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,

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IT IS ORDERED that the judgment of conviction is summarily affirmed. *See* WIS. STAT. RULE 809.21.

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

Diane M. Fremgen Clerk of Court of Appeals