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DISTRICT IV

January 8, 2015

To:

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

2013AP2083-CRNM State of Wisconsin v. Derek Joseph Grinnell (L.C. #2012CF142)

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

Attorney Steven Phillips, appointed counsel for Derek Joseph Grinnell, 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 Grinnell with a copy of the report, and both counsel and this court

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

advised him of his right to file a response. Grinnell 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.

Grinnell pled guilty to one count of first-degree sexual assault of a child. The court imposed a sentence of seven years of initial confinement and seven years of extended supervision.

The no-merit report addresses whether Grinnell's plea was 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 Grinnell 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 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,

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

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

Diane M. Fremgen
Clerk of Court of Appeals