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**DISTRICT II**

April 8, 2015

To:

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Kenosha County Courthouse  
912 56th St.  
Kenosha, WI 53140

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Clerk of Circuit Court  
Kenosha County Courthouse  
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You are hereby notified that the Court has entered the following opinion and order:

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2014AP2194-CRNM      State of Wisconsin v. Lemuel S. Brown (L.C. #2012CF993)

Before Brown, C.J., Neubauer, P.J., and Reilly, J.

Lemuel S. Brown appeals from a judgment of conviction for failure to register as a sex offender, as a repeater. Brown's appellate counsel has filed a no-merit report pursuant to Wis. STAT. RULE 809.32 (2013-14)<sup>1</sup> and *Anders v. California*, 386 U.S. 738 (1967). Brown received a copy of the report, was advised of his right to file a response, and has elected not to do so. Upon consideration of the report and an independent review of the record, we conclude that the

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2013-14 version unless otherwise noted.

judgment may be summarily affirmed because there is no arguable merit to any issue that could be raised on appeal. *See* WIS. STAT. RULE 809.21.

Brown entered a guilty plea to the charge. The prosecution agreed to cap its sentencing recommendation at eighteen months' initial confinement and to be silent on the length of extended supervision. At sentencing the prosecutor made the agreed upon recommendation. Brown asked for jail time. The sentencing court was concerned that Brown had a history of past failure to register as a sex offender and noted that Brown had recently been given a one-year jail sentence for such failure. Concluding that Brown needed to serve prison time because past jail sentences failed to impress upon Brown the import of registering, the court imposed eighteen months' initial confinement and two years' extended supervision. Brown received 199 days of the sentence credit.

The no-merit report addresses the potential issues of whether Brown's plea was freely, voluntarily, and knowingly entered and whether the sentence was the result of an erroneous exercise of discretion. This court is satisfied that the no-merit report properly analyzes the issues it raises as without merit, and this court will not discuss them further.

By his guilty plea Brown forfeited the right to raise nonjurisdictional defects and defenses, including claimed violations of constitutional rights. *State v. Kelty*, 2006 WI 101, ¶18 & n.11, 294 Wis. 2d 62, 716 N.W.2d 886; *State v. Lasky*, 2002 WI App 126, ¶11, 254 Wis. 2d 789, 646 N.W.2d 53. Our review of the record discloses no other potential issues for appeal. Accordingly, this court accepts the no-merit report, affirms the conviction, and discharges appellate counsel of the obligation to represent Brown further in this appeal.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Randall E. Paulson is relieved from further representing Lemuel S. Brown in this appeal. *See* WIS. STAT. RULE 809.32(3).

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*Diane M. Fremgen*  
*Clerk of Court of Appeals*