



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215
P.O. BOX 1688
MADISON, WISCONSIN 53701-1688
Telephone (608) 266-1880
TTY: (800) 947-3529
Facsimile (608) 267-0640
Web Site: www.wicourts.gov

DISTRICT I/III

April 14, 2015

To:

Hon. Glenn H. Yamahiro
Circuit Court Judge
901 N. 9th St., Branch 34
Milwaukee, WI 53233-1425

Mark A. Schoenfeldt
Attorney at Law
135 W. Wells St., Ste. 604
Milwaukee, WI 53203

John Barrett
Clerk of Circuit Court
Room 114
821 W. State Street
Milwaukee, WI 53233

Gregory M. Weber
Assistant Attorney General
P.O. Box 7857
Madison, WI 53707-7857

Karen A. Loebel
Asst. District Attorney
821 W. State St.
Milwaukee, WI 53233

Ronnie Lee Lacy 143621
Racine Corr. Inst.
P.O. Box 900
Sturtevant, WI 53177-0900

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

2014AP1596-CRNM State v. Ronnie Lee Lacy (L. C. No. 2013CF1616)

Before Hoover, P.J., Stark and Hruz, JJ.

Counsel for Ronnie Lee Lacy has filed a no-merit report concluding there is no basis to challenge Lacy's convictions for armed robbery and attempted robbery with threat of force. Lacy was advised of his right to respond and has not responded. Upon our independent review of the record as mandated by *Anders v. California*, 386 U.S. 738 (1967), we conclude there is no arguable merit to any issue that could be raised on appeal and summarily affirm.

Lacy allegedly robbed a gas station in Milwaukee armed with a handgun, and the following day attempted to rob another gas station, but was thwarted by a security guard. Lacy

pled guilty to one count of armed robbery and one count of attempted robbery with threat of force. The circuit court imposed sentences consisting of seventeen years' initial confinement and eight years' extended supervision on the armed robbery count, consecutive to any other sentence Lacy was serving; and three years' initial confinement and three years' extended supervision on the attempted robbery count, concurrent to count one.

There is no manifest injustice upon which Lacy could withdraw his pleas. *See State v. Duychak*, 133 Wis. 2d 307, 312, 395 N.W.2d 795 (Ct. App. 1986). The court's colloquy, together with the plea questionnaire and waiver of rights form, informed Lacy of the constitutional rights he waived by pleading guilty, the elements of the offenses, the potential penalties, and the deportation consequences. The court specifically advised Lacy it could sentence him to anything up to the maximum on each charge. Lacy conceded the complaint provided an adequate factual basis for the convictions. The record shows the pleas were knowingly, voluntarily and intelligently entered. *See State v. Bangert*, 131 Wis. 2d 246, 260, 389 N.W.2d 12 (1986). Entry of a valid guilty plea constitutes a waiver of nonjurisdictional defenses and defects. *Id.* at 265-66.

The record also discloses no basis to challenge the court's sentencing discretion. The court considered the proper sentencing factors, including Lacy's character, the seriousness of the offenses and the need to protect the public. *See State v. Harris*, 119 Wis. 2d 612, 623, 350 N.W.2d 633 (1984). The court stated, "This is one of the worst criminal histories I've ever seen" The court noted seventeen delinquency referrals, with the first theft at the age of nine. "And as an adult, it's been non stop between 1986 and now." The court also emphasized Lacy was on supervision at the time of the current offenses, and that Lacy was a "substantial member of the Gangster Disciples for many years." The court indicated the sentence imposed was "the

minimum amount of time necessary to protect the public based on the history here.” The court’s sentence was far less than the forty-seven and one-half years allowable by law and not unduly harsh or excessive. *See Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975).

Our independent review of the record discloses no other issues of arguable merit. Therefore,

IT IS ORDERED that the judgment is summarily affirmed. WIS. STAT. RULE 809.21 (2013-14).

IT IS FURTHER ORDERED that attorney Mark Schoenfeldt is relieved of further representing Lacy in this matter.

Diane M. Fremgen
Clerk of Court of Appeals