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DISTRICT II

September 2, 2015

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

2014AP1723-CR State of Wisconsin v. Larry L. George (L.C. # 1986CF175)

Before Neubauer, P.J., Reilly and Gundrum, JJ.

Larry L. George appeals pro se from orders denying his postconviction motion to amend his judgment of conviction and his motion for reconsideration. Based upon our review of the briefs and record, we conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2013-14).¹ We affirm the orders of the circuit court.

¹ All references to the Wisconsin Statutes are to the 2013-14 version.

In 1986, George was convicted of second-degree sexual assault of a child and sentenced to a sixteen-year prison term. He was paroled in 1995, but was revoked and returned to prison for a period of seven years and seven days of reconfinement commencing on October 22, 2001.

In May 2014, George moved to amend his judgment of conviction so that his sentence would be “concurrent” rather than “consecutive.” The circuit court denied the motion, finding that (1) George had reached the maximum discharge date on the case and (2) there was no purpose to his motion. George moved for reconsideration, and the court denied the motion, reiterating its earlier findings. This appeal follows.²

On appeal, George contends that the circuit court erred in denying his requested relief. We disagree. Because George had served the sentence in this case long before filing his 2014 motion, the resolution of his sentencing challenge would have no practical effect on his confinement under the sentence. Under these circumstances, the court could reasonably conclude that George’s motion served no purpose.

Upon the foregoing reasons,

IT IS ORDERED that the orders of the circuit court are summarily affirmed, pursuant to WIS. STAT. RULE 809.21.

Diane M. Fremgen
Clerk of Court of Appeals

² This is George’s third appeal in this case. He previously appealed orders denying his motion for plea withdrawal and his motion for sentence modification. *See State v. George*, No. 2006AP2973-CR, unpublished op. and order (WI App June 11, 2008); *State v. George*, No. 2004AP3046-CR, unpublished op. and order (WI App Jan. 11, 2006).