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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](http://www.wicourts.gov)

**DISTRICT II**

March 9, 2016

To:

Hon. S. Michael Wilk  
Circuit Court Judge  
Kenosha County Courthouse  
912 56th Street  
Kenosha, WI 53140

Rebecca Matoska-Mentink  
Clerk of Circuit Court  
Kenosha County Courthouse  
912 56th Street  
Kenosha, WI 53140

Ellen J. Krahn  
Assistant State Public Defender  
P. O. Box 7862  
Madison, WI 53707

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

Robert D. Zapf  
District Attorney  
Molinaro Bldg  
912 56th Street  
Kenosha, WI 53140-3747

William J. Lampe 479749  
Wisconsin Resource Center  
P.O. Box 220  
Winnebago, WI 54985-0220

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

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2016AP61-CRNM      State of Wisconsin v. William J. Lampe (L.C. #2012CF001234)

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

William J. Lampe appeals from a judgment of conviction for armed robbery with use of force and theft of movable property, both as a repeater. His 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.

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

738 (1967). Lampe received a copy of the report, was advised of his right to file a response, and has not filed a response. Upon consideration of the report and an independent review of the record, we conclude that the 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.

Lampe entered a home through an open window and when he was discovered by the homeowner, Lampe threatened the victim with a knife, tied the victim up, and took items from the home. Lampe was charged as a repeater with armed robbery by use of force, burglary while armed with a dangerous weapon, false imprisonment with a dangerous weapon, and theft of moveable property. Lampe entered a guilty plea to the armed robbery and theft charges and the other two charges were dismissed. Sentencing was delayed for various reasons and during that time, Lampe's mental health deteriorated. A competency evaluation resulted in a commitment for treatment to become competent. After treatment, a doctor's report opined that Lampe was competent and Lampe did not contest the determination that he was competent to proceed to sentencing. Lampe was sentenced to eleven years' initial confinement and five years' extended supervision on the armed robbery conviction, and a concurrent term of three years' initial confinement and two years' extended supervision was imposed on the theft conviction. Lampe's postconviction motion to vacate DNA surcharges and add seventy-nine days of sentence credit was granted on the State's stipulation that the requested relief was appropriate.

The no-merit report addresses the potential issues of whether Lampe'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.

We have also considered whether any arguably meritorious issue arises out of the competency determination and Lampe's choice not to challenge the doctor's opinion that he was competent to proceed. We conclude that no potential issue exists.

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 Lampe 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 Martha K. Askins is relieved from further representing William J. Lampe in this appeal. *See* WIS. STAT. RULE 809.32(3).

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