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**DISTRICT II**

February 8, 2017

To:

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J.P.A.  
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You are hereby notified that the Court has entered the following opinion and order:

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2016AP1226-NM

In the matter of the mental commitment of J.P.A.: Winnebago  
County v. J.P.A. (L.C. # 2015ME486)

Before Neubauer, C.J.<sup>1</sup>

J.P.A. appeals from a WIS. STAT. ch. 51 order extending his commitment due to mental illness for twelve months, from an order for involuntary medication and treatment, and from an order denying his postcommitment motion seeking to vacate his commitment due to insufficient evidence of dangerousness. J.P.A.'s appellate counsel has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 and *Anders v. California*, 386 U.S. 738 (1967). J.P.A. received a copy of the report and was advised of his right to file a response. He has not done so. Upon

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<sup>1</sup> This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(d) (2015-16). All references to the Wisconsin Statutes are to the 2015-16 version unless otherwise noted.

consideration of the report and an independent review of the record as mandated by *Anders* and RULE 809.32, we summarily affirm the orders because there are no issues that would have arguable merit for appeal. WIS. STAT. RULE 809.21.

The no-merit report addresses whether there was sufficient evidence to support the twelve-month extension of J.P.A.'s commitment. We agree with appellate counsel that this issue does not have arguable merit for appeal. The medical evidence adduced at the extension hearing and the circuit court's findings satisfied the statutory factors for extending a commitment. WIS. STAT. § 51.20(1)(a), (1)(am). The court found that J.P.A. suffers from mental illness, is a proper subject for outpatient treatment, and, if treatment were withdrawn, J.P.A. would become a proper subject for commitment.

The evidence and the circuit court's findings were also sufficient to require involuntary medication and treatment. WIS. STAT. § 51.61(1)(g)3., (g)4. The court found that J.P.A. was not competent to refuse medication. No issue with arguable merit is present.

The no-merit report addresses whether a finding of J.P.A.'s dangerousness had to be made. This issue lacks arguable merit for appeal because in the commitment extension setting, dangerousness under WIS. STAT. § 51.20(1)(a)2. need not be established if withdrawing treatment would render J.P.A. an appropriate subject for commitment. Sec. 51.20(1)(am). The circuit court made the latter finding based on the evidence in the record.

The no-merit report also addresses whether the WIS. STAT. ch. 51 time limits were observed. We agree with appellate counsel that no issue with arguable merit is present.

Our independent review of the record does not disclose any potentially meritorious issues for appeal. Because we conclude that there would be no arguable merit to any issue that could be raised on appeal, we accept the no-merit report, affirm the orders and relieve Attorney Ralph Sczygelski of further representation of J.P.A. in this matter.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Ralph Sczygelski is relieved of further representation of J.P.A. in this matter. WIS. STAT. RULE 809.32(3).

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