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**DISTRICT II**

January 24, 2018

To:

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

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2017AP1698-NM

In the matter of the mental commitment of P.F.:  
Winnebago County v. P.F. (L.C. # 2017ME164)

Before Reilly, P.J.<sup>1</sup>

**Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).**

P.F. appeals from an order extending his mental health commitment and authorizing involuntary medication and treatment. His appellate counsel has filed a no-merit report pursuant

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

to WIS. STAT. RULE 809.32, and *Anders v. California*, 386 U.S. 738 (1967). Upon consideration of the report, P.F.'s response, and an independent review of the record, we conclude that the order 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.

P.F. is serving a life sentence on a conviction of first-degree homicide.<sup>2</sup> Following his original commitment, P.F.'s treatment and administration of medication is managed on an outpatient basis at the Wisconsin Resource Center. In support of the petition to extend P.F.'s commitment, his treating psychiatrist testified that P.F. suffers from schizophrenia which severely impairs P.F.'s thought, mood, and perception. The doctor indicated that if treatment were withdrawn, P.F. would become the proper subject for commitment. He also explained that P.F. was substantially incapable of applying an understanding of the advantages and disadvantages of treatment to make an informed choice as to accept or refuse medications. Based on this evidence, on April 11, 2017, P.F.'s commitment was extended for twelve months.

The no-merit report addresses whether the evidence offered was sufficient to extend P.F.'s mental health commitment and require involuntary medication and treatment and whether there are any grounds to move for a new trial. The report notes the appropriate standard for each intervention. *See* WIS. STAT. §§ 51.20(1)(am), (13)(g)3., 51.61(1)(g)4.b. With the doctor's testimony, the County met its burden to prove all required facts by clear and convincing

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<sup>2</sup> This fact does not appear in the record. It is recited in the no-merit report and not refuted by P.F. in his response. It is also confirmed by the automated circuit court docket available on the Wisconsin Circuit Court Access site for Brown County case No. 2000CF516. *See Mercado v. GE Money Bank*, 2009 WI App 73, ¶5 n.3, 318 Wis. 2d 216, 768 N.W.2d 53 (this court may take judicial notice of the circuit court access records).

evidence. *See* § 51.20(13)(e). There is no arguable merit to challenging the sufficiency of the evidence on appeal. No grounds appear to move for a new trial.

P.F.'s response does not attempt to identify any potential errors in the extension proceeding. He relates the circumstances of the 1997 crime and his perception that he was framed for the crime. P.F. also gives his opinion of what medications he needs to maintain himself on "the streets." The response does nothing more than confirm that P.F. suffers impairment of thought and perception.

Our review of the record discloses no other potential issues for appeal. Accordingly, this court accepts the no-merit report, affirms the order of the circuit court and discharges appellate counsel of the obligation to represent P.F. further in this appeal.

Upon the foregoing reasons,

IT IS ORDERED that the order is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Frederick A. Bechtold is relieved from further representing P.F. in this matter. *See* WIS. STAT. RULE 809.32(3).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

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