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DISTRICT III

March 6, 2018

To:

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

2017AP1355-CRNM State v. James Edward Williams
(L. C. No. 2013CF486)

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

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).

Counsel for James Edward Williams has filed a no-merit report concluding there is no arguable basis for Williams to challenge the sentence imposed after revocation of his probation.

Williams was advised of his right to respond to the report 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 basis for appeal.

In 2015, Williams entered a no-contest plea to one count of third-degree sexual assault. The court withheld sentence and placed Williams on probation. Williams' probation was revoked based on six violations, including domestic violence and possession of sexually explicit materials. The circuit court then sentenced Williams to three years' initial confinement and three years' extended supervision with credit for 380 days served.

Because this appeal does not include review of the underlying conviction or the revocation process, see *State v. Tobey*, 250 Wis. 2d 781, 748, 548 N.W.2d 951 (Ct. App. 1996), the no-merit report addresses only whether the sentencing court properly exercised its discretion. We agree with counsel's conclusion that the circuit court properly considered the gravity of the offense, Williams' character and the need to protect the public. See *State v. Harris*, 119 Wis. 2d 612, 623, 350 N.W.2d 633 (1984). The six-year sentence is well within the ten-year maximum and is therefore presumptively reasonable. *State v. Grindemann*, 2002 WI App 106, ¶31, 255 Wis. 2d 632, 648 N.W.2d 507.

Our independent review of the record discloses no other potential issue for appeal. Therefore,

IT IS ORDERED that the judgment is summarily affirmed. WIS. STAT. RULE 809.21 (2015-16).

IT IS FURTHER ORDERED that attorneys Tristan Breedlove and Hannah Schieber Jurss are relieved of their obligations to further represent Williams in this matter. Wis. STAT. RULE 809.32(3) (2015-16).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals