



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

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

DISTRICT II

May 23, 2018

To:

Hon. Peter L. Grimm
Circuit Court Judge
Fond du Lac County Courthouse
160 South Macy Street
Fond du Lac, WI 54935

Eric Toney
District Attorney
Fond du Lac County
160 S. Macy St.
Fond du Lac, WI 54935

Ramona Geib
Clerk of Circuit Court
Fond du Lac County Courthouse
160 S. Macy St.
Fond du Lac, WI 54935

Criminal Appeals Unit
Department of Justice
P.O. Box 7857
Madison, WI 53707-7857

Joseph N. Ehmann
Regional Attorney Manager
Wisconsin State Public Defenders Office
P.O. Box 7862
Madison, WI 53707-7862

Shannon W. Johnson 543772
Oshkosh Corr. Inst.
P.O. Box 3310
Oshkosh, WI 54903-3310

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

2018AP371-CRNM State of Wisconsin v. Shannon W. Johnson (L.C. # 2011CF201)

Before Neubauer, C.J., Gundrum and Hagedorn, 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).

Shannon W. Johnson appeals from a judgment imposing a sentence after the revocation of probation. His appellate counsel has filed a no-merit report pursuant to WIS. STAT. RULE

809.32 (2015-16),¹ and *Anders v. California*, 386 U.S. 738 (1967). Johnson received a copy of the report, was advised of his right to file a response, and has elected not to do so. 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.

In 2011, Johnson entered a no-contest plea to two counts of unauthorized use of an individual's personal identifying information to obtain money and was sentenced to three years' probation. His probation was extended, once by agreement because of an unpaid financial obligation and once because Johnson was in absconder status. Probation was revoked in May 2017. After confirming that Johnson's probation had been properly extended, Johnson was sentenced to two consecutive terms of eighteen months' initial confinement and eighteen months' extended supervision, with 457 days of sentence credit.

The no-merit report discusses the potential issues of whether the sentence was an erroneous exercise of discretion, excessive, based on inaccurate information, or otherwise subject to modification based on a new factor. 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.

¹ All references to the Wisconsin Statutes are to the 2015-16 version unless otherwise noted.

Our review of the record discloses no other potential issues for appeal.² Accordingly, this court accepts the no-merit report, affirms the judgment, and discharges appellate counsel of the obligation to represent Johnson 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 Joseph N. Ehmann is relieved from further representing Shannon W. Johnson in this appeal. *See* WIS. STAT. RULE 809.32(3).

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

Sheila T. Reiff
Clerk of Court of Appeals

² This appeal brings before the court only the sentence imposed after revocation. *See State v. Scaccio*, 2000 WI App 265, ¶10, 240 Wis. 2d 95, 622 N.W.2d 449.