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**DISTRICT I**

May 31, 2018

To:

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

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2017AP1577

State of Wisconsin v. Jermaine Smith (L.C. # 2003CF156)

Before Brennan, P.J., Kessler and Dugan, 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).**

Jermaine Smith, *pro se*, was convicted of first-degree intentional homicide in 2003 and sentenced to life imprisonment without eligibility for release on extended supervision. Smith appeals an order denying his fourth motion for postconviction relief. He also appeals an order denying his motion for reconsideration. Smith argues that the purported judicial bias of the judge who sentenced him constitutes a “new factor” that entitles him to resentencing. Based

upon our review of the briefs and record, we conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2015-16).<sup>1</sup> We affirm.

The circuit court’s written decision dated June 20, 2017, properly analyzes and disposes of Smith’s argument. Therefore, we affirm for the reasons explained in the circuit court’s decision, which is attached. *See* WIS. CT. APP. IOP VI.(5)(a) (Nov. 30, 2009) (“When the trial court’s decision was based upon a written opinion ... the panel may ... make reference thereto, and affirm on the basis of that opinion.”).

IT IS ORDERED that the orders of the circuit court are summarily affirmed.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

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*Sheila T. Reiff*  
*Clerk of Court of Appeals*

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