

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

At sentencing, the circuit court informed Smith that he would have to pay costs, surcharges, fees, assessments, and restitution imposed on him up to twenty-five percent of his prison wages. The DOC is currently withholding fifty percent of Smith's prison wages to satisfy his obligations. Smith moved the circuit court for sentence modification, seeking an order limiting withholding to twenty-five percent of his prison earnings in accord with his sentence. The circuit court concluded that it did not have authority to address the issue in the context of Smith's underlying criminal case. Therefore, it denied the motion.

Regardless of the merits of Smith's claim, he may not challenge the DOC's decision to withhold fifty percent of his prison wages in the context of this criminal action. The sentencing court does not have competency to address this challenge. *See State v. Williams*, 2018 WI App 20, ¶1, 380 Wis. 2d 440, 909 N.W.2d 177. Smith is a prison inmate and, therefore, his recourse is to the inmate complaint review system. *Id.* Smith may appeal an adverse decision of the inmate complaint review system to the circuit court by writ of *certiorari*. *Id.* Because the sentencing court did not have competency to address Smith's claim, the circuit court properly denied his motion.

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

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

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals