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DISTRICT IV

July 11, 2018

To:

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

2016AP874-CR

State of Wisconsin v. Timothy D. McGriff (L.C. # 2013CF988)

Before Lundsten, P.J., Blanchard, and Kloppenburg, 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).

Timothy McGriff appeals a judgment of conviction and an order denying his postconviction motion. 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).¹ We affirm.

McGriff originally argued that he should be allowed to withdraw his plea because he did not know that he would be subject to lifetime GPS monitoring. The Wisconsin Supreme Court recently held that this is not a legal basis for plea withdrawal. *State v. Muldrow*, 2018 WI 52, ¶8, 381 Wis. 2d 492, 912 N.W.2d 74. McGriff has declined our offer for further briefing on how *Muldrow* affects his appeal, and states that he “recognizes the authority which *Muldrow* has now established.” We take this as a concession that *Muldrow* controls in his case and requires affirmance of the judgment and order.

IT IS ORDERED that the judgment and order appealed are summarily affirmed under 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IT IS FURTHER ORDERED that this summary disposition order will not be published.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

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