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**DISTRICT II**

August 15, 2018

To:

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Joseph A. Mendez Sr.  
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You are hereby notified that the Court has entered the following opinion and order:

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2018AP62-CRNM      State of Wisconsin v. Joseph A. Mendez, Sr. (L.C. #2017CF72)

Before Neubauer, C.J., Reilly, P.J., and Gundrum, J.

**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).**

Joseph A. Mendez, Sr., appeals from a judgment of conviction for identity theft for financial gain and possession of methamphetamine. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2015-16)<sup>1</sup> and *Anders v. California*, 386 U.S. 738 (1967).

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

Mendez 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 are no issues with arguable merit for appeal. *See* WIS. STAT. RULE 809.21.

Mendez was convicted following no contest pleas to identity theft for financial gain and possession of methamphetamine. Mendez was accused of stealing his ex-wife's identity to open a credit card account, which he used. During the investigation of that crime, police obtained a warrant to search Mendez's residence and discovered methamphetamine there. The circuit court sentenced Mendez to twelve months of jail followed by five years of probation. This no-merit appeal follows.

The no-merit report addresses potential issues of whether Mendez's pleas were knowingly, voluntarily, and intelligently entered, and whether the circuit court properly exercised its discretion at sentencing. This court is satisfied that the no-merit report correctly analyzes the issues it raises as without merit, and this court will not discuss them further.

Our review of the record discloses no other potential issues for appeal. Accordingly, this court accepts the no-merit report, affirms the judgment of conviction, and discharges appellate counsel of the obligation to represent Mendez further in this appeal.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Leonard D. Kachinsky is relieved of further representation of Joseph A. Mendez, Sr., in this appeal. *See* WIS. STAT. RULE 809.32(3).

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*