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DISTRICT III

August 30, 2018

To:

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

2017AP1046-CRNM State of Wisconsin v. Esequiel G. Garcia (L. C. No. 2015CF120)

Before Stark, P.J., Hruz and Seidl, 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).

Counsel for Esequiel Garcia has filed a no-merit report concluding there is no basis to challenge Garcia's conviction for possession of narcotic drugs. Garcia was advised of his right to respond and has failed to respond. Upon our independent review of the record as mandated by *Anders v. California*, 386 U.S. 738 (1967), we conclude there is no merit to any issue that could be raised on appeal and summarily affirm. *See* WIS. STAT. RULE 809.21 (2015-16).

A criminal complaint alleged Garcia possessed heroin, as a habitual criminal. Police discovered the heroin in Garcia's pants pocket following a "warrant pickup" for theft of property. Garcia told police the heroin was not his, and the pants he was wearing did not belong to him. Garcia pleaded no contest to possession of narcotic drugs, without the repeater enhancer. The circuit court imposed a sentence consisting of eighteen months' initial confinement and two years' extended supervision, consecutive to any other sentences Garcia was serving.

The no-merit report addresses whether Garcia's no-contest plea was knowingly, intelligently, and voluntarily entered; whether the plea waived non-jurisdictional issues; and whether the circuit court properly exercised its sentencing discretion. This court is satisfied that the no-merit report properly analyzes the issues raised, and we will not further address those issues.

Our independent review of the record discloses no other potential issues for appeal.

Therefore,

IT IS ORDERED that the judgment is summarily affirmed. WIS. STAT. RULE 809.21 (2015-16).

IT IS FURTHER ORDERED that attorney Leonard D. Kachinsky is relieved of further representing Garcia in this matter. *See* WIS. STAT. RULE 809.32(3) (2015-16).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals