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**DISTRICT I**

October 11, 2018

To:

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

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2017AP1936-CRNM	State of Wisconsin v. Christopher D. Brooks (L.C. # 2015CF4824)
2017AP1937-CRNM	State of Wisconsin v. Christopher D. Brooks (L.C. # 2015CF4953)

Before Kessler, P.J., Brash 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).**

Christopher D. Brooks pled guilty to armed robbery as a party to a crime and to second-degree recklessly endangering safety. *See* WIS. STAT. §§ 941.30(2) (2015-16),<sup>1</sup> 943.32(2),

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

939.05. He faced maximum penalties of forty years of imprisonment and a \$100,000 fine for the former offense and ten years of imprisonment and a \$25,000 fine for the latter. *See id.*; *see also* WIS. STAT. § 939.50(3)(c), (g). For armed robbery as a party to a crime, the circuit court imposed a thirteen-year term of imprisonment, bifurcated as eight years of initial confinement and five years of extended supervision. For second-degree recklessly endangering safety, the circuit court imposed a seven-year term of imprisonment, bifurcated as four years of initial confinement and three years of extended supervision. The circuit court ordered Brooks to serve the sentences concurrently with each other but consecutive to any sentence previously imposed. The circuit court awarded Brooks the 259 days of sentence credit he requested and set restitution at zero. He appeals.

Appellate counsel, Attorney Mark A. Schoenfeldt, filed a no-merit report pursuant to *Anders v. California*, 386 U.S. 738 (1967), and WIS. STAT. RULE 809.32. Brooks did not file a response. Based upon our review of the no-merit report and the records, we conclude that no arguably meritorious issues exist for an appeal, and we summarily affirm. *See* WIS. STAT. RULE 809.21.

According to the criminal complaint in Milwaukee County case No. 2015CF4824, which underlies appeal No. 2017AP1936-CRNM, A.S. and M.N. arranged an October 7, 2015 meeting with a person, subsequently identified as Romance Cohen, who claimed to have a Volkswagen Passat for sale. After test-driving the car, A.S. agreed to buy it and to meet the seller later in the day to complete the purchase. When A.S. arrived with M.N. at the address where the sale was to take place, a person subsequently identified as Brooks arrived on the scene in the Passat. Brooks got out of the car, displayed a handgun, and seized property from both A.S. and M.N. Brooks

then drove away with A.S.'s wallet and M.N.'s cell phone. The State charged Brooks on November 6, 2015, with armed robbery as a party to a crime.

According to the criminal complaint in Milwaukee County case No. 2015CF4953, which underlies the appeal in 2017AP1937-CRNM, D.B. was struck by a car on October 14, 2015, during a dispute with the father of her child. As she lay injured in the street, Brooks, a man known to D.B., drove towards her in a car she described as a silver Infiniti with a broken windshield. He produced a handgun and fired multiple shots, then fled. On October 29, 2015, officers in uniform and operating a marked police vehicle saw an Infiniti matching the description of the car that D.B. said Brooks was driving on October 14, 2015. Officers pulled alongside the Infiniti and recognized Brooks as its driver. Officers identified themselves and ordered Brooks to stop, but instead he sped away from the officers. The State charged Brooks on November 14, 2015 with first-degree recklessly endangering safety while armed and fleeing an officer.

Brooks quickly decided to resolve the charges against him with a plea bargain. On March 10, 2016, the State filed an amended information in Milwaukee County case No. 2015CF4953, charging Brooks with second-degree recklessly endangering safety while armed with a dangerous weapon and with fleeing an officer. Pursuant to the parties' agreement, Brooks then pled guilty to armed robbery as a party to a crime in Milwaukee County case No. 2015CF4824, and to second-degree recklessly endangering safety in case No. 2015CF4953. The allegation that Brooks committed the latter crime while armed with a dangerous weapon was dismissed and read-in for sentencing purposes, as was the charge of fleeing an officer. Brooks agreed to cooperate in the State's prosecution of Cohen, the alleged co-actor in case No.

2015CF4824, and the State agreed to recommend that Brooks receive concurrent sentences but not to specify a recommended term of imprisonment.

The no-merit report addresses the potential issues of whether Brooks entered his guilty pleas knowingly, intelligently, and voluntarily, whether the circuit court properly exercised its sentencing discretion, and whether the record would support a claim that Brooks's trial counsel was ineffective. The court is satisfied that appellate counsel properly analyzed these issues, and we agree with appellate counsel that further pursuit of these issues would lack arguable merit. Additional discussion of these issues is not warranted.

Our independent review of the records does not disclose any other potential issues for appeal. We conclude that further postconviction or appellate proceedings would be wholly frivolous within the meaning of *Anders* and WIS. STAT. RULE 809.32.

IT IS ORDERED that the judgments of conviction are summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Mark A. Schoenfeldt is relieved of any further representation of Christopher D. Brooks. *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*