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**DISTRICT II/IV**

October 16, 2018

To:

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

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2017AP1971-CR

State of Wisconsin v. Larry L. George (L.C. # 1986CF175)

Before Blanchard, Kloppenburg, and Fitzpatrick, 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).**

Larry L. George appeals pro se from orders denying his motions for contempt, clarification, and sentence modification. 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).<sup>1</sup> We affirm the circuit court's orders because the challenged sentence has discharged.

In 1986, George was convicted of second-degree sexual assault in connection with this case, Winnebago County No. 1986CF175. The circuit court imposed a sixteen-year sentence. George was paroled in 1995, and absconded shortly thereafter. While an absconding parolee, he was charged with new sexual assault and false imprisonment charges in Brown County. George's parole was revoked. In 1999, he was ordered to serve out the remainder of his sentence in prison. George successfully moved the circuit court to reduce his sentence length. However, by opinion released February 28, 2001, this court reversed and remanded the circuit court's order with directions to reinstate the full reincarceration sentence. *George v. Schwarz*, 2001 WI App 72, 242 Wis. 2d 450, 626 N.W.2d 57.

In August 2001, George received a consecutive fifteen-year prison sentence in Brown County case No. 1996CF163. The sentence in the instant case discharged on October 16, 2005, and George started serving his Brown County sentence. Since then, George has persistently challenged both sentences with the goal of securing an earlier-than-scheduled release from prison. *See, e.g., George v. Schwarz*, Nos. 2012AP2320 and 2013AP969, unpublished slip op. (WI App Feb. 19, 2014); *State v. George*, No. 2014AP1723-CR, unpublished op. and order (WI App Sept. 2, 2015); *State ex rel. George v. Smith*, No. 2015AP382, unpublished op. and order (WI App Dec. 2, 2015); *State v. George*, No. 2016AP525-CRAC, unpublished slip op. (Jan. 24, 2017). At issue in this appeal are George's motions for contempt and for clarification or

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

modification of his sentence. The circuit court denied the motions for various reasons, including that George “has reached maximum discharge on this case” and “[t]he sentence in this case has discharged.”

The circuit court properly denied George’s motions because the sentence he challenges has been discharged. As stated in our prior opinions, the resolution of George’s motions would have no effect on the sentence imposed in this case. *See, e.g., George*, No. 2014AP1723-CR at 1. Under these circumstances, the circuit court could reasonably conclude that George’s motions served no purpose. *See State v. Thomas*, 2000 WI App 162, ¶19, 238 Wis. 2d 216, 617 N.W.2d 230 (discharge date signals the end of a criminal sentence).

Upon the foregoing reasons,

IT IS ORDERED that the orders of the circuit court are summarily affirmed pursuant to WIS. STAT. RULE 809.21.

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*