

OFFICE OF THE CLERK WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215 P.O. Box 1688

MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880 TTY: (800) 947-3529 Facsimile (608) 267-0640 Web Site: www.wicourts.gov

DISTRICT III

January 15, 2019

To:

Hon. Timothy A. Hinkfuss Circuit Court Judge Brown County Courthouse P.O. Box 23600 Green Bay, WI 54305-3600

John VanderLeest Clerk of Circuit Court Brown County Courthouse P.O. Box 23600 Green Bay, WI 54305-3600

David L. Lasee District Attorney P.O. Box 23600 Green Bay, WI 54305-3600 Catherine Malchow Asst. State Public Defender P.O. Box 7862 Madison, WI 53707-7862

Jesse Adam Christnot 656859 Oshkosh Correctional Inst. P.O. Box 3310 Oshkosh, WI 54903-3310

Criminal Appeals Unit Department of Justice P.O. Box 7857 Madison, WI 53707-7857

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

2017AP2431-CRNM State of Wisconsin v. Jesse Adam Christnot (L. C. No. 2016CF1108)

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 Jesse Christnot filed a no-merit report concluding no grounds exist to challenge Christnot's convictions for five counts of possessing child pornography. Christnot was informed of his right to file a response to the no-merit report and has not responded. Upon our independent review of the record as mandated by *Anders v. California*, 386 U.S. 738 (1967), we

conclude there is no arguable merit to any issue that could be raised on appeal. Therefore, we summarily affirm the judgment of conviction. *See* WIS. STAT. RULE 809.21 (2015-16).¹

The State charged Christnot with ten counts of possessing child pornography. In exchange for Christnot's no-contest pleas to the first five counts against him, the State agreed to dismiss and read in the remaining charges. The State also agreed to recommend concurrent sentences for each count consisting of eight years of initial confinement and eight years of extended supervision. Out of a maximum possible 125-year sentence, the circuit court imposed the recommended concurrent sixteen-year sentences consisting of eight years' initial confinement followed by eight years' extended supervision.²

The no-merit report addresses whether Christnot knowingly, intelligently and voluntarily entered his no-contest pleas and whether the circuit court properly exercised its sentencing discretion. Upon reviewing the record, we agree with counsel's description, analysis, and conclusion that any challenge to Christnot's pleas or sentence would lack arguable merit. Our independent review of the record discloses no other potential issue for appeal.

Therefore,

IT IS ORDERED that the judgment is summarily affirmed. WIS. STAT. RULE 809.21.

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

² Each count carried a minimum three-year term of initial confinement. *See* WIS. STAT. § 939.617.

IT IS FURTHER ORDERED that attorney Catherine Malchow³ is relieved of her obligation to further represent Jesse Christnot in this matter. *See* WIS. STAT. RULE 809.32(3).

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

Sheila T. Reiff Clerk of Court of Appeals

³ Although attorney Megan Sanders-Drazen submitted the no-merit report, attorney Malchow was later substituted as counsel in this matter.