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DISTRICT IV

January 15, 2019

To:

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Wade N. Rudoll
W9082 Hwy 12
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You are hereby notified that the Court has entered the following opinion and order:

2017AP1245-CRNM State of Wisconsin v. Wade N. Rudoll (L.C. # 2015CF49)

Before Lundsten, P.J., Blanchard and Kloppenburg, 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).

Attorney Megan Sanders-Drazen, appointed counsel for Wade Rudoll, filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2015-16)¹ and *Anders v. California*, 386 U.S. 738 (1967). Rudoll responded to the report, and we ordered a further review by counsel.

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

Replacement counsel Andrew Hinkel has filed that response. We conclude that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21. After our independent review of the record, we conclude there is no arguable merit to any issue that could be raised on appeal.

Rudoll was convicted of one count of burglary and placed on probation in 2015. Rudoll's probation was revoked in 2016 and he was returned to the court for sentencing. The court imposed a sentence of two years of initial confinement and two years of extended supervision.

In Rudoll's response to the no-merit report he raised issues about actions of his attorney around the time of sentencing. In our order of October 8, 2018, we directed his attorney to address those issues. Current counsel has now reported that Rudoll does not wish to pursue relief based on those issues. Therefore, we do not discuss them further.

The no-merit report addresses whether the circuit court erroneously exercised its sentencing discretion. The standards for the circuit court and this court on sentencing issues are well established and need not be repeated here. *See State v. Gallion*, 2004 WI 42, ¶¶17-51, 270 Wis. 2d 535, 678 N.W.2d 197. In this case, the court considered appropriate factors, did not consider improper factors, and reached a reasonable result. There is no arguable merit to this issue.

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

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

IT IS FURTHER ORDERED that Attorney Hinkel is relieved of further representation of Rudoll 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