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

2018AP1113-CRNM State of Wisconsin v. Lashawn Terrell Logan (L.C. # 2017CF1460)

Before Kessler, P.J., Brennan and Brash, 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).

Lashawn Terrell Logan pled guilty to fleeing an officer under circumstances resulting in damage to the property of another. *See* WIS. STAT. §§ 346.04(3) (2015-16),¹ 346.17(3)(b). The circuit court imposed an evenly bifurcated four-year term of imprisonment. Logan appeals.

¹ All subsequent references to the Wisconsin Statutes are to the 2017-18 version unless otherwise noted.

Logan's appellate counsel, Attorney Dustin C. Haskell, filed a no-merit report pursuant to WIS. STAT. RULE 809.32, and *Anders v. California*, 386 U.S. 738 (1967). Logan did not respond. We have considered the no-merit report and conducted an independent review of the record. We conclude that no arguably meritorious issues exist for an appeal. We summarily affirm. *See* WIS. STAT. RULE 809.21.

The State filed a criminal complaint alleging that on March 26, 2017, a police officer attempted to stop a white Chevrolet as it pulled out of a gas station in Milwaukee, Wisconsin. Although the officer activated his squad car's emergency lights and siren, the driver of the Chevrolet did not stop the vehicle but instead increased its speed. The officer pursued the Chevrolet, which went the wrong way on a one-way street, failed to stop for a red traffic light and two stop signs, and reached speeds of seventy miles per hour. After a chase covering approximately 1.8 miles, the Chevrolet crashed and flipped onto its side, damaging the vehicle and trapping the driver inside. Milwaukee Fire Department personnel extricated the driver, subsequently identified as Logan. Police determined that a car dealership owned the Chevrolet, which Logan had taken for a test drive several days before the incident and never returned. The State charged Logan with fleeing an officer under circumstances resulting in damage to the property of another, a Class H felony carrying maximum penalties of a \$10,000 fine and six years of imprisonment. *See* WIS. STAT. §§ 346.04(3) (2015-16), 346.17(3)(b), 939.50(3)(h).

Logan decided to resolve the matter with a plea bargain. Pursuant to its terms, he agreed to plead guilty as charged, and the State agreed to recommend an evenly bifurcated four-year term of imprisonment. The parties also agreed that an uncharged allegation of operating a motor vehicle without the owner's consent would be treated as a read-in offense for sentencing purposes. The circuit court accepted Logan's guilty plea, imposed the sentence recommended by

the State, and ordered that Logan serve the sentence consecutive to a sentence previously imposed in a separate case. The State advised that the owner of the damaged Chevrolet did not request restitution, and the circuit court ordered that Logan did not have a restitution obligation.

In the no-merit report, appellate counsel addresses the potential issues of whether Logan entered his guilty plea knowingly, intelligently, and voluntarily, and whether the circuit court properly exercised its sentencing discretion. This 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 record 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 judgment of conviction is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Dustin C. Haskell is relieved of any further representation of Lashawn Terrell Logan on appeal. *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