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DISTRICT IV

February 7, 2019

To:

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

2017AP1988-CR	State of Wisconsin v. Merrill Tepper (L.C. # 2014CF2526)
2017AP1989-CR	State of Wisconsin v. Merrill Tepper (L.C. # 2015CF2257)

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).

Merrill Tepper appeals judgments of conviction and an order denying her postconviction motion. Based upon our review of the briefs and records, we conclude at conference that these

cases are appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2017-18).¹ We affirm.

Tepper was convicted after a trial on four felony counts of stalking, three felony counts of bail jumping, and seven misdemeanors. The circuit court placed her on probation for ten years, and also imposed and stayed sentences totaling four years and six months of initial confinement and six years of extended supervision.

Tepper argues on appeal that her sentence is unduly harsh and excessive. She asserts that even though, as she characterizes them, her offenses were nonviolent, she was subject to “harsh conditions” of probation for ten years. However, the brief does not tell us what these conditions are. Nor does the brief discuss the facts of the crimes in an effort to develop an argument that this term of probation was excessive.

Tepper further argues that her probation has now been revoked and she faces prison time for nonviolent crimes that caused no physical injury. The fact of her revocation is not of record and had not yet occurred at the time of the circuit court decision we are reviewing. Therefore, we normally would not consider this argument. However, even if we were to consider the argument, and even if it is true that Tepper’s probation has been revoked, her argument for relief from imposition of probation is moot. And, Tepper has failed to develop any argument explaining why the imposed and stayed prison term was an erroneous exercise of discretion.

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

In short, Tepper has failed to develop any argument on appeal. We affirm the circuit court judgment and order on that basis. *See State v. Pettit*, 171 Wis. 2d 627, 646-47, 492 N.W.2d 633 (Ct. App. 1992) (court need not consider undeveloped legal arguments).

IT IS ORDERED that the judgments and order appealed are summarily affirmed under WIS. STAT. RULE 809.21.

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

Sheila T. Reiff
Clerk of Court of Appeals