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DISTRICT II

March 13, 2019

To:

Hon. David M. Bastianelli
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Juwon S. Brown, #615460
Racine Youthful Offender Corr. Facility
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You are hereby notified that the Court has entered the following opinion and order:

2018AP1026-CRNM State of Wisconsin v. Juwon S. Brown (L.C. #2014CF1263)

Before Neubauer, C.J., Gundrum and Hagedorn, 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).

Juwon Brown appeals from a judgment convicting him of theft from a person as party to the crime contrary to WIS. STAT. § 943.20(1)(a) (2013-14)¹ and disorderly conduct as a repeat

¹ All references to the Wisconsin Statutes are to the 2013-14 version unless otherwise noted.

offender contrary to WIS. STAT. § 947.01(1). Brown's appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2017-18) and *Anders v. California*, 386 U.S. 738 (1967). Brown received a copy of the report and was advised of his right to file a response.

He has not done so. Upon consideration of the report and an independent review of the record as mandated by *Anders* and WIS. STAT. RULE 809.32, we summarily affirm the judgment because there are no issues that would have arguable merit for appeal. WIS. STAT. RULE 809.21 (2017-18).

For disorderly conduct as a repeat offender, the circuit court imposed an enhanced sentence and sentenced Brown to one and one-half years (one year of initial incarceration and six months of extended supervision). For theft, the circuit court sentenced Brown to a consecutive eight-year term (five years of initial confinement and three years of extended supervision). Brown received sentence credit.

The no-merit report addresses the following possible appellate issues: (1) whether Brown's no contest pleas were knowingly, voluntarily, and intelligently entered; and (2) whether the circuit court misused its sentencing discretion. After reviewing the record, we conclude that counsel's no-merit report properly analyzes these issues and correctly concludes that these issues are without arguable merit. The plea colloquy complied with *State v. Hoppe*, 2009 WI 41, ¶18, 317 Wis. 2d 161, 765 N.W.2d 794. The colloquy was thorough and informed Brown of each of the constitutional rights waived by his pleas. Brown's no contest pleas waived all nonjurisdictional defects and defenses. *State v. Lasky*, 2002 WI App 126, ¶11, 254 Wis. 2d 789, 646 N.W.2d 53. The circuit court also engaged in a proper exercise of sentencing discretion. *State v. Gallion*, 2004 WI 42, ¶76, 270 Wis. 2d 535, 678 N.W.2d 197.

In addition to the issues discussed above, we have independently reviewed the record. Our independent review of the record did not disclose any potentially meritorious issue for appeal. Because we conclude that there would be no arguable merit to any issue that could be raised on appeal, we accept the no-merit report, affirm the judgment of conviction, and relieve Attorney Vicki Zick of further representation of Brown in this matter.

Upon the foregoing reasons,

IT IS ORDERED that the judgment of the circuit court is summarily affirmed pursuant to WIS. STAT. RULE 809.21 (2017-18).

IT IS FURTHER ORDERED that Attorney Vicki Zick is relieved of further representation of Juwon Brown in this matter.

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

Sheila T. Reiff
Clerk of Court of Appeals