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DISTRICT II

May 22, 2019

To:

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

2018AP2137-CRNM State of Wisconsin v. Timothy Thomas Roberg (L.C. #2017CF494)

Before Neubauer, C.J., Reilly, P.J., and Gundrum, J.

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).

Timothy Roberg appeals from a judgment convicting him of seventh-offense operating a motor vehicle while intoxicated. Roberg's appointed appellate counsel has filed a no-merit

report pursuant to WIS. STAT. RULE 809.32 (2015-16)¹ and *Anders v. California*, 386 U.S. 738 (1967). Roberg has opted not to exercise his right to file a response. Upon consideration of the no-merit report and an independent review of the record as mandated by *Anders* and RULE 809.32, we summarily affirm the judgment because there is no arguable merit to any issue that could be raised on appeal. *See* WIS. STAT. RULE 809.21.

The no-merit report addresses whether Roberg could raise a nonfrivolous argument that his guilty plea was not freely, voluntarily, and knowingly entered, or that his sentence was unduly harsh or otherwise the result of an erroneous exercise of discretion. As our review of the record satisfies us that the no-merit report properly and thoroughly analyzes these issues as without merit, we address them no further. 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 Kathilynne Grotelueschen is relieved from further representing Roberg in this 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IT IS FURTHER ORDERED that this summary disposition order will not be published.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

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