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DISTRICT IV

May 24, 2019

To:

Hon. Ellen K. Berz
Circuit Court Judge
Br. 11, Rm. 5103
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Madison, WI 53703

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Clerk of Circuit Court
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Department of Justice
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You are hereby notified that the Court has entered the following opinion and order:

2018AP1180-CRNM	State of Wisconsin v. Manuel Alberto-Camposeco (L.C. # 2013CF1867)
2018AP1181-CRNM	State of Wisconsin v. Manuel Alberto-Camposeco (L.C. # 2014CF413)

Before Lundsten, P.J., Sherman and Fitzpatrick, 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 Angela Kachelski, appointed counsel for Manuel Alberto-Camposeco, has filed a no-merit report seeking to withdraw as appellate counsel pursuant to WIS. STAT. RULE 809.32

(2017-18)¹ and *Anders v. California*, 386 U.S. 738 (1967). Alberto-Camposeco was sent a copy of the report and has not filed a response. Upon consideration of the report and an independent review of the record, we conclude there is no arguable merit to any issue that could be raised on appeal.

Alberto-Camposeco was charged with repeated sexual assault of a child and three counts of felony bail jumping. The parties entered into a plea agreement under which Alberto-Camposeco agreed to plead guilty to the repeated sexual assault count and to one of the bail jumping counts, and the State agreed to dismiss the other two bail jumping counts and to cap its recommendation on initial confinement to twenty years. The circuit court accepted Alberto-Camposeco's pleas and dismissed the two additional bail jumping counts. The court imposed consecutive sentences for a total of thirty years of initial confinement and ten years of extended supervision.

The no-merit report addresses whether Alberto-Camposeco's pleas were knowing, intelligent, and voluntary. We agree with counsel that there is no arguable merit to this issue. The plea colloquy sufficiently complied with the requirements of WIS. STAT. § 971.08 and *State v. Brown*, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906, relating to the nature of the charges, the rights Alberto-Camposeco was waiving, the circuit court's discretion to depart from the State's sentencing recommendation, and other matters. The record shows no other ground for plea withdrawal.

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

The no-merit report addresses whether the circuit court erroneously exercised its sentencing discretion. We agree with counsel that there is no arguable merit to this issue. The total sentence was within the maximum allowed, and the circuit court discussed the required sentencing factors along with other relevant factors. *See State v. Gallion*, 2004 WI 42, ¶¶37-49, 270 Wis. 2d 535, 678 N.W.2d 197.

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

Therefore,

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

IT IS FURTHER ORDERED that Attorney Angela Kachelski is relieved of any further representation of Manuel Alberto-Camposeco 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