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DISTRICT II

July 24, 2019

To:

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

2018AP1125-CRNM State of Wisconsin v. Adrian Ortega (L.C. #2016CF1211)

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).

Adrian Ortega appeals from a judgment convicting him of false imprisonment and second-degree sexual assault. Ortega's appointed appellate counsel has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2017-18)¹ and *Anders v. California*, 386 U.S. 738 (1967).

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

Ortega was advised of his right to file a response but has elected not to do so. 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.

Ortega was charged with Count 1, false imprisonment, and Count 2, second-degree sexual assault, after allegedly pinning an acquaintance's arms down on the bed and engaging in nonconsensual sexual intercourse with her. A jury found him guilty. The court ordered four years' incarceration and four years' extended supervision on Count 2, and withheld sentence on Count 1, with two years' probation consecutive to Count 2. This no-merit appeal followed.

The no-merit report comprehensively examined Ortega's case from initial appearance through every stage of the trial and sentencing. It also considered whether there existed a meritorious challenge to the sufficiency of the evidence, and properly concluded there would not be. As our review of the record satisfies us that the no-merit report accurately analyzed all issues as without merit, we address them no further.

Our review of the record discloses no other potential issues for appeal. Accordingly, this court accepts the no-merit report, affirms the conviction, and discharges appellate counsel of the obligation to represent Ortega further in this appeal.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Angela Conrad Kachelski is relieved from further representing Ortega 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