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DISTRICT II

September 4, 2019

To:

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

2019AP344-CRNM State of Wisconsin v. James L. Williams, III (L.C. #2018CF139)

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).

James L. Williams appeals from a judgment, entered upon his guilty plea, convicting him of one count of third-degree sexual assault. Williams' appointed appellate counsel has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2017-18)¹ and *Anders v. California*, 386

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

U.S. 738 (1967). Williams was advised of his right to file a response but has not done 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.

Williams was charged in Kenosha County case no. 18CF139 with one count of second-degree sexual assault for having nonconsensual intercourse with a woman he met on Facebook. In Kenosha County case no. 18CF140, Williams was charged with operating a motor vehicle without the owner's consent (OMVWOC) and hit and run involving injury. Both cases were heard at the same time for all court appearances.

He entered a guilty plea in 18CF139 to an amended charge of third-degree sexual assault and was sentenced to four years' initial confinement followed by five years' extended supervision. In 18CF140, he pled guilty to OMVWOC; the hit-and-run charge was dismissed outright. The court withheld sentence and placed him on three years' probation consecutive to the sentence in 18CF139. Williams appeals only case no. 18CF139.

Appellate counsel has filed a thorough no-merit report that considers whether any nonfrivolous issues could arise from the initial appearance, the preliminary hearing and its waiver, the plea hearing, or the sentence. As our review of the record satisfies us that the no-merit report properly analyzes these potential issues and correctly concludes they are without merit, we address them no further. Further, by pleading guilty, Williams waived his right to contest any nonjurisdictional defects or defenses. *See State v. Kraemer*, 156 Wis. 2d 761, 765, 457 N.W.2d 562 (Ct. App. 1990).

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 Williams further in this appeal.

Upon the foregoing reasons,

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

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