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DISTRICT II

September 18, 2019

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

2019AP584-CRNM State of Wisconsin v. Steven M. Zelich (L.C. #2014CF264)

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).

Steven M. Zelich appeals from a judgment convicting him of two counts of hiding a corpse, contrary to WIS. STAT. § 940.11(2) (2017-18).¹ Zelich's appointed appellate counsel has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 and *Anders v. California*, 386 U.S.

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

738 (1967). Zelich 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.

Walworth County police discovered the bodies of two deceased women in separate suitcases on the side of a rural road. The investigation led to Zelich. He told them that he met the first woman in late 2012 or early 2013 through an online site whose members share a common interest in various degrees of BDSM (Bondage, Discipline, Sadism, Masochism), inadvertently caused her death during BDSM activities, placed her body in a suitcase, and stored it in a refrigerator in his home. He said he met the second woman in late 2013 on the same website, caused her death in similar fashion, placed her body in a suitcase, put it in his vehicle, and, in June 2014, discarded both suitcases in the tall grass of a ditch along a rural road.²

The State charged Zelich with two counts of hiding a corpse. It offered him no plea agreement. After pleading guilty to both counts, Zelich was sentenced to the maximum penalty of five years' initial confinement (IC) and five years' extended supervision (ES) on each count, consecutive to each other and consecutive to any other sentence.³ This no-merit appeal followed.

The no-merit report considers whether the circuit court erred in (1) accepting Zelich's guilty pleas and (2) sentencing him to ten years' IC and ten years' ES consecutive to his other

² A township employee saw the suitcases while cutting the grass in the ditch and moved them to the edge of the road, where law enforcement found them.

³ Zelich already had been convicted of first-degree reckless homicide in Kenosha County and of second-degree murder in Minnesota stemming from the two women's deaths. His sentences in those two cases totaled fifty-one years' imprisonment.

sentences. Appellate counsel thoroughly and completely analyzes these potential issues. We agree with counsel's conclusion that they are without merit. We thus address them no further.

Our review of the record discloses no other potential issues for appeal.⁴ Accordingly, this court accepts the no-merit report, affirms the conviction, and discharges appellate counsel of the obligation to represent Zelich 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 Jay R. Pucek is relieved from further representing Zelich 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

⁴ Zelich argued at the preliminary hearing that the corpses were not "hidden," as the suitcases were found in open view at the side of the road. Even were there any arguable merit to this claim, Zelich's guilty pleas waived the right to raise nonjurisdictional defects and defenses arising from proceedings before entry of the pleas, including claimed violations of constitutional rights. *State v. Kraemer*, 156 Wis. 2d 761, 765, 457 N.W.2d 562 (Ct. App. 1990).