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**DISTRICT II**

September 25, 2019

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Michael R. Dekraai  
2460 S. 5th Pl.  
Milwaukee, WI 53207

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

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2018AP1938-CRNM      State of Wisconsin v. Michael R. Dekraai (L.C. #2016CF1122)

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).**

Michael R. Dekraai appeals from a judgment convicting him of one count of operating a motor vehicle to flee or attempt to elude an officer and three counts of felony bail jumping. Dekraai's appointed appellate counsel has filed a no-merit report pursuant to WIS. STAT. RULE

809.32 (2017-18)<sup>1</sup> and *Anders v. California*, 386 U.S. 738 (1967). Dekraai was informed 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.

A Racine County deputy sheriff executed a traffic stop along a county highway. He was in full uniform and in an official marked vehicle with its red and blue emergency lights flashing. When the deputy pulled behind the vehicle, the driver drove off. The squad’s lights still flashing, the deputy now activated his siren and followed the vehicle for three or four miles to the parking lot of a business. Along the way, the driver, later identified as Dekraai, maintained a proper speed, used his turn signals, and, after legally parking the vehicle at the business, was cooperative with the deputy. Dekraai told the officer he was on his way to pick his mother up from work when he was stopped and, due to outstanding warrants, knew he would be going to jail. He therefore decided to continue on to his mother’s workplace to drop off the car so she would have a way to get home.

Dekraai was charged with operating a motor vehicle to flee or attempt to elude an officer and three counts of felony bail jumping, due to pending criminal cases. A jury found him guilty on all four counts. The court imposed a sentence of “time served” (155 days) on the fleeing-and-eluding charge and revoked Dekraai’s driver’s license for six months. It imposed three months’ jail time, with Huber privileges—later revoked for rule infractions—on each of the three bail-

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

jumping charges, to be served consecutive to each other and consecutive to the fleeing charge. This no-merit appeal followed.

The no-merit report addresses the following potential appellate issues. It examines whether: (1) the evidence was sufficient to support Dekraai's convictions for attempting to flee or elude an officer and the felony bail-jumping counts; (2) the trial court erroneously exercised its sentencing discretion or imposed a sentence that was unduly harsh and unconscionable; and (3) trial counsel ineffectively failed to move to sever the fleeing charge from the bail-jumping charges. Appellate counsel thoroughly considered each issue. We agree with his legal analysis and his conclusion that none of the issues has arguable merit. We need address them no further.

Our review of the record—including voir dire, motions in limine, jury instructions, and Dekraai's waiver of his right to testify—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 Dekraai further in this appeal. Therefore,

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

IT IS FURTHER ORDERED that Attorney Hans P. Koesser is relieved from further representing Dekraai in this appeal. *See* WIS. STAT. RULE 809.32(3).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

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*Sheila T. Reiff*  
*Clerk of Court of Appeals*