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DISTRICT I/II

January 2, 2020

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

2018AP1364-CRNM State of Wisconsin v. Sherman Dwayne Liddell
(L.C. #2016CF5147)

Before Reilly, P.J., Gundrum and Davis, 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).

Sherman Dwayne Liddell appeals from a judgment convicting him of hit and run resulting in death, and knowingly operating a motor vehicle while suspended, causing death. His

appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2017-18)¹ and *Anders v. California*, 386 U.S. 738, 744 (1967). Liddell received a copy of the report, was advised of his right to file a response, and has elected not to do so. Upon consideration of the report and an independent review of the record, we conclude that the judgment may be summarily affirmed because there are no arguably meritorious issues for appeal. See WIS. STAT. RULE 809.21.

According to the criminal complaint, a five-year-old child and her mother were holding hands on the way to church when the child broke away and ran into the street. An SUV struck the child and fled the scene. First responders arrived quickly and initiated life-saving measures but the child died. Eyewitness reports and video surveillance from a nearby store led police to arrest Liddell, who had asked his girlfriend, the SUV's owner, to report it stolen. Liddell was charged with hit and run resulting in death (count one), a Class D felony, and with operating while suspended causing death (count two), a Class H felony. Liddell pled guilty to both counts as charged. On count one, the circuit court imposed ten years of initial confinement followed by eight years of extended supervision. On count two, the circuit court imposed two years of initial confinement followed by two years of extended supervision, to run concurrent with count one. This no-merit appeal follows.

The no-merit report addresses (1) whether Liddell's guilty pleas were knowingly, voluntarily, and intelligently entered and (2) whether the circuit court properly exercised its

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

discretion in imposing sentence. This court is satisfied that the no-merit report correctly analyzes the issues it raises as without merit, and this court will not discuss them further.

Our review of the record discloses no other potential issues for appeal.² Accordingly, the court accepts the no-merit report, affirms the judgment of conviction, and discharges appellate counsel of the obligation to further represent Liddell in this appeal. Therefore,

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

IT IS FURTHER ORDERED that Attorney Carly M. Cusack is relieved from further representing Sherman D. Liddell 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

² For example, the order for 146 days of sentence credit on each concurrent sentence is supported by the record, and Liddell stipulated to the order for \$2905.88 in restitution.