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DISTRICT I

January 3, 2020

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

2019AP1160-CRNM	State of Wisconsin v. Charles Lawrence Porter (L.C. # 2018CF304)
2019AP1161-CRNM	State of Wisconsin v. Charles Lawrence Porter (L.C. # 2018CF747)

Before Brash, P.J., Kessler and Dugan, 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).

Charles Lawrence Porter appeals judgments convicting him of three counts of felony retail theft, as a party to a crime; two counts of robbery, one with use of force and one with threat of force, both as a party to a crime; two counts of bail jumping; and one count of possession of cocaine with intent to deliver. Porter's appointed appellate counsel, Attorney Angela Conrad

Kachelski, 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). Porter was notified that he had a right to respond to the report, but he has not done so. After considering the report and conducting an independent review of the record, we conclude that there are no issues of arguable merit that could be raised on appeal.

The no-merit report first discusses the circuit court proceedings prior to the plea hearing in chronological order, reviewing them for possible issues to raise on appeal. We agree with the no-merit report's analysis and discussion of the initial appearances, preliminary hearings, the arraignments, and the bail/bond hearings. All were conducted in accord with the law and without legal error. There are no arguable issues to raise on appeal stemming from the circuit court proceedings prior to the plea hearing.

The no-merit report next addresses whether there would be arguable merit to a claim that Porter did not knowingly, intelligently, and voluntarily enter his guilty pleas. The circuit court conducted a very thorough colloquy with Porter that complied with WIS. STAT. § 971.08 and *State v. Bangert*, 131 Wis. 2d 246, 266-72, 389 N.W.2d 12 (1986). In addition, Porter reviewed the plea questionnaire and waiver of rights forms with his counsel prior to entering his pleas. *See State v. Moerderdorfer*, 141 Wis. 2d 823, 827-28, 416 N.W.2d 627 (Ct. App. 1987) (stating that the court may rely on a plea questionnaire and waiver of rights form in assessing the defendant's knowledge about the rights he or she is waiving). Porter informed the circuit court that he understood the information explained to him during the plea colloquy and provided to him in

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

writing on the plea questionnaire and waiver of rights forms. Therefore, there would be no arguable merit to an appellate challenge to the pleas.

The no-merit report next addresses whether there would be arguable merit to a claim that the circuit court misused its sentencing discretion when it sentenced Porter. The circuit court sentenced Porter to an aggregate term of fourteen years of initial confinement and ten years of extended supervision. The record establishes that the circuit court carefully considered the general objectives of sentencing and applied the sentencing factors in light of the facts of this case and addressed them at length in its sentencing decision, reaching a reasonable result. *See State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76 (stating that the circuit court must identify the factors it considered and explain how those factors fit the sentencing objectives and influenced its sentencing decision). There would be no arguable merit to a challenge to his aggregate sentence.

Our review of the record discloses no other potential issues for appeal. Accordingly, we accept the no-merit report, affirm the judgments of conviction, and discharge appellate counsel of the obligation of further representing Porter.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Angela Conrad Kachelski is relieved from further representing Charles Lawrence Porter. *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