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DISTRICT II

April 15, 2020

To:

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

2018AP1698-CRNM State of Wisconsin v. Jacari J. Hammonds (L.C. #2016CF1317)

Before Neubauer, C.J., Reilly, P.J., and Davis, 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).

Jacari J. Hammonds appeals from a judgment convicting him of armed robbery as a party to the crime. 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). Hammonds received a copy of

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

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.

Hammonds was charged with armed robbery as a party to the crime, a Class C felony, and operating a motor vehicle without the owner's consent (riding along as a passenger), a Class A misdemeanor. Pursuant to a plea agreement, he pled no contest to the armed robbery and the misdemeanor was dismissed and read in. As part of the plea bargain, the State recommended two and one-half years of initial confinement followed by a "significant" term of extended supervision. The circuit court imposed a thirteen-year bifurcated sentence, with three years of initial confinement followed by ten years of extended supervision. This no-merit appeal follows.

Appellate counsel's no-merit report addresses (1) whether Hammond's no-contest plea was knowingly, voluntarily, and intelligently entered, (2) whether the circuit court properly exercised its discretion in imposing sentence, and (3) whether there exist "issues extrinsic to the plea colloquy or outside the record which would justify" plea withdrawal. 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. Accordingly, the court accepts the no-merit report, affirms the judgment, and discharges appellate counsel of the obligation to further represent Hammonds 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 Hans P. Koesser is relieved from further representing Jacari J. Hammonds 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