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**DISTRICT III**

April 21, 2020

To:

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Green Bay, WI 54307-9033

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

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2018AP851-CRNM	State of Wisconsin v. Curtis J. Wiggins
2018AP852-CRNM	(L. C. Nos. 2015CF58, 2015CF59, 2017CF59)
2018AP853-CRNM	

Before Stark, P.J., Hruz and Seidl, 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).**

Curtis Wiggins appeals from three judgments entered on his no-contest pleas, convicting him of four counts of second-degree sexual assault of a child. Attorney Melissa Petersen has filed a no-merit report seeking to withdraw as appellate counsel. *See* WIS. STAT. RULE 809.32

(2017-18);<sup>1</sup> *Anders v. California*, 386 U.S. 738, 744 (1967). The no-merit report sets forth the procedural history of the cases, discusses whether Wiggins’ trial counsel should have filed a suppression motion, and addresses Wiggins’ pleas and sentences. Wiggins was advised of his right to respond, but he has not filed a response. Upon independently reviewing the entire record, as well as the no-merit report, we conclude that counsel may be allowed to withdraw and the judgments of conviction may be summarily affirmed. *See* WIS. STAT. RULE 809.21.

The State brought multiple first-degree sexual assault and related charges against Wiggins in a series of cases based on allegations that Wiggins had molested eight different girls aged four to eleven over a span of nine years. After the circuit court granted the State’s motion to admit other acts evidence about all of the victims in each case, the parties negotiated a comprehensive plea deal. Wiggins entered pleas to four reduced counts of second-degree sexual assault in the three cases at issue in these appeals in exchange for the dismissal and reading in of all additional counts in these cases and all counts in five other cases. The State further agreed to recommend concurrent terms of eighteen to twenty years of initial confinement and twenty years of extended supervision on each count. The court conducted a colloquy and accepted Wiggins’ pleas.

The circuit court subsequently sentenced Wiggins pursuant to the parties’ joint recommendation. After the Department of Corrections pointed out that the maximum available period of extended supervision for Wiggins’ crimes was fifteen years, the court entered amended judgments reducing the extended supervision on each count to fifteen years.

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

We agree with counsel's analysis and conclusion that any challenge to the pleas and amended sentences would lack arguable merit. Additionally, the record does not reveal any legitimate basis for a suppression motion or a challenge to the circuit court's ruling on other acts evidence, and we accept counsel's representation that her investigation outside of the record also provided no grounds for suppression. We further note that there is no factual basis to consider any other issues outside of the record given Wiggins' lack of response to the no-merit report. Our independent review of the record discloses no other potential issues for appeal. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of WIS. STAT. RULE 809.32 and *Anders*.

Therefore,

IT IS ORDERED that the judgments are summarily affirmed. WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that attorney Melissa Petersen is relieved of further representing Curtis Wiggins in these matters. *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*