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110 EAST MAIN STREET, SUITE 215  
P.O. BOX 1688  
MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880  
TTY: (800) 947-3529  
Facsimile (608) 267-0640  
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**DISTRICT II**

May 13, 2020

To:

Hon. Faye M. Flancher  
Circuit Court Judge  
Racine County Courthouse  
730 Wisconsin Avenue  
Racine, WI 53403

Samuel A. Christensen  
Clerk of Circuit Court  
Racine County Courthouse  
730 Wisconsin Avenue  
Racine, WI 53403

Gregory Bates  
Bates Law Offices  
P.O. Box 70  
Kenosha, WI 53141-0070

Patricia J. Hanson  
District Attorney  
730 Wisconsin Avenue  
Racine, WI 53403

Lashayla Kaye Cobbler 578468  
Taycheedah Correctional Inst.  
P.O. Box 3100  
Fond du Lac, WI 54936-3100

Criminal Appeals Unit  
Department of Justice  
P.O. Box 7857  
Madison, WI 53707-7857

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

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2019AP148-CRNM      State of Wisconsin v. Lashayla Kaye Cobbler (L.C. #2018CF372)

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).**

Lashayla Cobbler appeals from judgments convicting her of misdemeanor bail jumping contrary to WIS. STAT. § 946.49(1(a) (2017-18)<sup>1</sup> and misappropriation of identification information contrary to § 943.201(2)(b). Cobbler's appellate counsel filed a no-merit report

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

pursuant to WIS. STAT. RULE 809.32 and *Anders v. California*, 386 U.S. 738 (1967). Cobbler received a copy of the report and was advised of her right to file a response. She has not done so. Upon consideration of the report and an independent review of the record as mandated by *Anders* and RULE 809.32, we summarily affirm the judgments because there are no issues that would have arguable merit for appeal. WIS. STAT. RULE 809.21.

The circuit court sentenced Cobbler to consecutive terms of four years of imprisonment (two years of initial confinement and two years of extended supervision) and one year of probation with an imposed and stayed nine-month jail term. These terms were consecutive to a then-current sentence after revocation.

The no-merit report addresses the following possible appellate issues: (1) whether Cobbler's no contest pleas were knowingly, voluntarily, and intelligently entered; (2) whether the circuit court misused its sentencing discretion; and (3) whether any pretrial issues were preserved despite Cobbler's no contest pleas. After reviewing the record, we conclude that counsel's no-merit report properly analyzes these issues and correctly determines that these issues lack arguable merit. The plea colloquy complied with *State v. Hoppe*, 2009 WI 41, ¶18, 317 Wis. 2d 161, 765 N.W.2d 794.<sup>2</sup> The colloquy was thorough and informed Cobbler of each of the constitutional rights waived by her pleas. Cobbler's no contest pleas waived all

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<sup>2</sup> The circuit court did not review the specific elements of the crimes with Cobbler. Nevertheless, we do not deem the plea colloquy defective. During the colloquy, the circuit court confirmed that the elements of the crimes to which Cobbler was pleading no contest were attached to the plea questionnaire, Cobbler signed the plea questionnaire, Cobbler had adequate time to review the elements with counsel, Cobbler affirmed that she understood the elements, and she stated that she did not need the circuit court to review them again. Counsel confirmed that he discussed the elements with Cobbler, and she understood them. We conclude that the colloquy was not defective. *See State v. Pegeese*, 2019 WI 60, ¶¶37, 40-41, 387 Wis. 2d 119, 928 N.W.2d 590 (similar colloquy regarding the constitutional rights waived by a plea deemed adequate). No issue with arguable merit is presented.

nonjurisdictional defects and defenses. *State v. Lasky*, 2002 WI App 126, ¶11, 254 Wis. 2d 789, 646 N.W.2d 53.

The circuit court also engaged in a proper exercise of sentencing discretion after considering various sentencing factors. *State v. Gallion*, 2004 WI 42, ¶76, 270 Wis. 2d 535, 678 N.W.2d 197 (we review the sentence for a misuse of discretion); *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76 (sentencing factors discussed).

In addition to the issues discussed above, we have independently reviewed the record. Our independent review of the record did not disclose any arguably meritorious issue for appeal. Because we conclude that there would be no arguable merit to any issue that could be raised on appeal, we accept the no-merit report, affirm the judgments of conviction, and relieve Attorney Gregory Bates of further representation of Cobbler in this matter.

Upon the foregoing reasons,

IT IS ORDERED that the judgments of the circuit court are summarily affirmed pursuant to WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Gregory Bates is relieved of further representation of Lashayla Cobbler in this matter.

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*