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DISTRICT I

May 27, 2020

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

2019AP2042-CRNM	State of Wisconsin v. Jasper Lamon Allen (L.C. # 2017CF2892)
2019AP2043-CRNM	State of Wisconsin v. Jasper Lamon Allen (L.C. # 2017CF3077)

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

Jasper Lamon Allen appeals from judgments of conviction for felon in possession of a firearm and first-degree recklessly endangering safety by use of a dangerous weapon, and from an order denying his postconviction motion. His appellate counsel 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). Allen 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 records, as mandated by *Anders*, the judgments and order are summarily affirmed because we conclude that there is no arguable merit to any issue that could be raised on appeal. *See* WIS. STAT. RULE 809.21.

Allen's former girlfriend reported that after she ended their relationship, Allen repeatedly harassed and threatened her. One day when she was returning to her home, she heard four to five gunshots and saw Allen nearby with a gun. Allen pointed the gun right at her. Police located five shell casings where Allen was seen. Allen was charged with possession of a firearm by a felon and endangering safety by use of a dangerous weapon.

In a separate case, Allen was charged with stalking with use of a dangerous weapon, first-degree recklessly endangering safety by use of a dangerous weapon, felon in possession of a firearm, possession with intent to deliver marijuana as a second or subsequent offense and by use of a dangerous weapon, and resisting an officer. He was charged as a repeat offender on all counts except the felon in possession of a firearm count. These charges were filed after Allen made repeated threats to shoot up his former girlfriend's home and place of employment and to burn those places to the ground. There were also several other incidents where shots were fired outside or at the former girlfriend's home. When police attempt to apprehend Allen during a traffic stop, Allen fled on foot. Police recovered a semi-automatic pistol from the driver's seat of the car that Allen was driving and marijuana was found in the trunk.

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

Under a plea agreement, Allen pled guilty to one count of felon in possession of a firearm and first-degree recklessly endangering safety by use of a dangerous weapon, with the habitual offender enhancer dropped. The other charges were dismissed as read-ins at sentencing. Allen was sentenced to two consecutive terms each consisting of five years of initial confinement and three years of extended supervision. Allen filed a postconviction motion asking that the sentences be made concurrent and that he be allowed to participate in the Substance Abuse Program and/or Challenge Incarceration Program. The postconviction motion was denied.

The no-merit report addresses the potential issues of whether Allen's pleas were knowingly, voluntarily, and intelligently entered, whether the sentences were the result of an erroneous exercise of discretion or unduly excessive, and whether the postconviction motion was properly denied. This court is satisfied that the no-merit report properly analyzes the issues it raises as without merit, and this court will not discuss them further.

Our review of the records discloses no other potential issues for appeal. Accordingly, this court accepts the no-merit report, affirms the convictions and the order denying the postconviction motion, and discharges appellate counsel of the obligation to represent Allen further in these appeals.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Kaitlin A. Lamb is relieved from further representing Jasper Lamon Allen 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