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DISTRICT III

May 27, 2020

To:

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Edmund J. Hoffmaster
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You are hereby notified that the Court has entered the following opinion and order:

2018AP2200-CRNM State of Wisconsin v. Edmund J. Hoffmaster
(L. C. No. 2017CM254)

Before Hruz, J.¹

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).

Counsel for Edmund Hoffmaster has filed a no-merit report concluding no grounds exist to challenge Hoffmaster's conviction for misdemeanor bail jumping. Hoffmaster was informed

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(f) (2017-18). All references to the Wisconsin Statutes are to the 2017-18 version unless otherwise noted.

of his right to file a response to the no-merit report and has not responded. Upon an independent review of the record as mandated by *Anders v. California*, 386 U.S. 738 (1967), this court concludes there is no arguable merit to any issue that could be raised on appeal. Therefore, the judgment of conviction is summarily affirmed. *See* WIS. STAT. RULE 809.21.

The State charged Hoffmaster with misdemeanor battery, disorderly conduct, and misdemeanor bail jumping—with the first two counts as acts of domestic abuse. The charges arose from allegations that, during a dispute at home with his wife, an intoxicated Hoffmaster threw two tables, one of which landed on her foot, causing her pain and injury. The complaint further alleged that after Hoffmaster was taken into custody, he became “more loud, boisterous, and profane including while outside of” his residence.

In exchange for Hoffmaster’s guilty plea to misdemeanor bail jumping, the State agreed to recommend that the battery charge be dismissed outright, and that the disorderly conduct charge be dismissed and read in. The State also agreed to cap its sentence recommendation at 180 days in jail. Out of a maximum possible nine-month sentence, the circuit court imposed 150 days in jail with Huber privileges, consecutive to a sentence Hoffmaster was serving on another case.

The no-merit report addresses whether Hoffmaster knowingly, intelligently and voluntarily entered his guilty plea; whether the circuit court erroneously exercised its sentencing discretion; and whether there are any grounds to challenge the effectiveness of Hoffmaster’s trial counsel. Upon reviewing the record, we agree with counsel’s analysis and conclusion that there is no arguable merit to any of these issues. The no-merit report sets forth an adequate discussion of the potential issues to support the no-merit conclusion, and we need not address them further.

An independent review of the record discloses no other potential issue for appeal.

Therefore,

IT IS ORDERED that the judgment is summarily affirmed. WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that attorney Roberta A. Heckes is relieved of her obligation to further represent Edmund Hoffmaster in this matter. *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