



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

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
Web Site: www.wicourts.gov

DISTRICT III

August 4, 2020

To:

Hon. Marc A. Hammer
Circuit Court Judge
Brown County Courthouse
P.O. Box 23600
Green Bay, WI 54305-3600

John VanderLeest
Clerk of Circuit Court
Brown County Courthouse
P.O. Box 23600
Green Bay, WI 54305-3600

Susan E. Alesia
Assistant State Public Defender
P.O. Box 7862
Madison, WI 53707-7862

David L. Lasee
District Attorney
P.O. Box 23600
Green Bay, WI 54305-3600

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

Marcella Guerrero-Trimble 381110
Wisconsin Resource Center
P.O. Box 220
Winnebago, WI 54985-0220

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

2019AP322-CRNM State of Wisconsin v. Marcella Guerrero-Trimble
(L. C. No. 2013CF988)

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).

Counsel for Marcella Guerrero-Trimble has filed a no-merit report concluding there is no basis to challenge Guerrero-Trimble's sentencing after revocation of probation. Guerrero-Trimble was advised of her right to respond and has not responded. Upon our independent review of the record as mandated by *Anders v. California*, 386 U.S. 738 (1967), we

conclude there is no merit to any issue that could be raised on appeal, and we summarily affirm. WIS. STAT. RULE 809.21 (2017-18).¹

According to the criminal complaint, an undercover officer working in a sting operation responded to an internet prostitution ad on the “Backpage” website. After the officer called the number listed in the ad, a female told the officer she would “find a girl” and bring the girl to his address. Guerrero-Trimble arrived at the undercover officer’s location with a sixteen-year-old girl. Guerrero-Trimble told the undercover officer there would be a “\$300.00 service fee.” The officer was also told, “Sex would be an extra \$50.00.” In addition, the officer was told that he must wear a condom.

Guerrero-Trimble was arrested. She later admitted to facilitating prostitution through Backpage ads and driving girls to “shows” for a cut of the money. Guerrero-Trimble subsequently pleaded guilty to trafficking of a child, in violation of WIS. STAT. § 948.051(1). The circuit court withheld sentence and imposed five years’ probation. Guerrero-Trimble’s probation was subsequently revoked, and she was sentenced to six years’ initial confinement and six years’ extended supervision.

On an appeal of a sentence after revocation, our review is limited to the sentencing proceeding after the revocation, and we will not review the original judgment of conviction or the underlying plea process. See *State v. Drake*, 184 Wis. 2d 396, 399, 515 N.W.2d 923 (Ct. App. 1994). Additionally, the validity of the probation revocation is not the subject of this appeal. See *State ex rel. Flowers v. DHSS*, 81 Wis. 2d 376, 384, 260 N.W.2d 727 (1978).

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

The no-merit report addresses the potential issues of whether the circuit court erroneously exercised its discretion or otherwise erred when it sentenced Guerrero-Trimble after the revocation of her probation. Upon our independent review of the record, we agree with counsel's description, analysis, and conclusion that any challenge to this issue would lack arguable merit. Our independent review of the record discloses no other potential issues for appeal.

Therefore,

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

IT IS FURTHER ORDERED that attorney Susan Alesia is relieved of further representing Marcella Guerrero-Trimble in this matter. *See* WIS. STAT. RULE 809.32(3).

IT IS FURTHER ORDERED that this summary disposition will not be published.

Sheila T. Reiff
Clerk of Court of Appeals