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DISTRICT III

August 18, 2020

To:

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Chris L. Lincks
552 E. Linus Street
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You are hereby notified that the Court has entered the following opinion and order:

2018AP2149-CRNM State of Wisconsin v. Chris L. Lincks (L. C. No. 2018CF1)

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).

Attorney William Donarski, appointed counsel for Chris Lincks, 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). Counsel provided Lincks with a copy of the report, and Lincks has responded. We

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

conclude that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21. After our independent review of the record, we conclude there is no arguable merit to any issue that could be raised on appeal.

Lincks pled guilty to one count of attempting to flee or elude a traffic officer. The circuit court imposed a sentence of eighteen months of initial confinement and five months of extended supervision.

The no-merit report addresses whether Lincks's plea was entered knowingly, voluntarily, and intelligently. The plea colloquy sufficiently complied with the requirements of *State v. Brown*, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906, and WIS. STAT. § 971.08 relating to the nature of the charge, the rights Lincks was waiving, and other matters. The record shows no other grounds to withdraw the plea. There is no arguable merit to this issue.

The no-merit report addresses whether the circuit court erroneously exercised its sentencing discretion. The standards for the circuit court and this court on sentencing issues are well established and need not be repeated here. *See State v. Gallion*, 2004 WI 42, ¶¶17-51, 270 Wis. 2d 535, 678 N.W.2d 197. In this case, the circuit court considered appropriate factors, did not consider improper factors, and reached a reasonable result. There is no arguable merit to this issue.

The no-merit report addresses whether the judge showed bias by not following the joint sentencing recommendation. The report correctly concludes that there are no facts in the record showing objective bias. There is no arguable merit to this issue.

In his response to the no-merit report, Lincks asserts that the prosecutor and his defense attorney “conspired” with the judge to have him plead guilty, and that the judge sentenced him to prison because of a “past incident” with the judge in 2017. Lincks does not provide any additional facts to support the conspiracy claim, and he does not describe the past incident. There is no arguable merit to these issues.

Our review of the record discloses no other potential issues for appeal.

Therefore,

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

IT IS FURTHER ORDERED that attorney William Donarski is relieved of further representation of Chris Lincks 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