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DISTRICT II

September 30, 2020

To:

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

2020AP986-CRNM State v. Ralph Harold Ricketts (L.C. #2017CF1170)

Before Neubauer, C.J., Reilly, P.J., and Davis, 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).

Ralph Harold Ricketts appeals from a judgment convicting him of operating a motor vehicle while intoxicated (OWI) as a seventh offense. His appellate counsel filed a no-merit report

pursuant to WIS. STAT. RULE 809.32 (2017-18)¹ and *Anders v. California*, 386 U.S. 738 (1967). Ricketts 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 record, we conclude that the judgment may be summarily affirmed because there are no issues with arguable merit for appeal. *See* WIS. STAT. RULE 809.21.

Ricketts was convicted following a no contest plea to OWI as a seventh offense. His vehicle was observed swerving in and out of its lane before crossing the center line and striking another vehicle head on. Ricketts admitted to drinking before driving, and a chemical analysis revealed a blood alcohol concentration of 0.274. For his actions, the circuit court imposed a sentence of five years of initial confinement and five years of extended supervision.

The no-merit report addresses potential issues of whether Ricketts' plea was validly entered and whether there is any basis for challenging his sentence. This court is satisfied that the no-merit report correctly analyzes the issues it raises as without merit, and this court will not discuss them further.

Our review of the record discloses no other potential issues for appeal. Accordingly, this court accepts the no-merit report, affirms the judgment of conviction, and discharges appellate counsel of the obligation to represent Ricketts further in this appeal.

Upon the foregoing reasons,

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

IT IS ORDERED that the judgment of the circuit court is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Kathilynne Grotelueschen is relieved of further representation of Ralph Harold Ricketts 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