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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 I

October 20, 2020

To:

Hon. Joseph R. Wall
Safety Building, Rm. 313
821 W. State St.
Milwaukee, WI 53233

John Barrett
Clerk of Circuit Court
Room 114
821 W. State Street
Milwaukee, WI 53233

Elizabeth A. Longo
Deputy District Attorney
821 W. State St.
Milwaukee, WI 53233

Steven Zaleski
The Zaleski Law Firm
10 E. Doty St., Ste. 800
Madison, WI 53703

Christopher Darnell Beal
2709 N. 44th. St.
Milwaukee, WI 53210

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

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

2019AP1293-CRNM State of Wisconsin v. Christopher Darnell Beal
(L.C. # 2018CF167)

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).

Christopher Darnell Beal appeals a judgment convicting him of armed robbery, as a party to a crime. Appointed appellate counsel, Steven Zaleski, filed a no-merit report pursuant to *Anders v. California*, 386 U.S. 738 (1967), and WIS. STAT. RULE 809.32 (2017-18).¹ Beal was

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

advised of his right to respond to the no-merit report, but he has not responded. After considering the report and after conducting an independent review of the record as mandated by *Anders*, we conclude that there are no issues of arguable merit that could be pursued on appeal. Therefore, we affirm.

Beal was charged with armed robbery, as a party to a crime, for stealing liquor bottles from a store and threatening a security guard with a weapon. The no-merit report addresses circuit court proceedings in chronological order, reviewing what occurred at each stage of the proceedings and explaining why there would be no arguable merit to an appeal. We agree with the no-merit report's analysis in all respects. We, however, address the two primary issues below.

The no-merit report addresses whether there would be arguable merit to a claim that the evidence was insufficient to support the jury's guilty verdict. We view the evidence in the light most favorable to the verdict, and if more than one inference can be drawn from the evidence, we must accept the one drawn by the trier of fact. See *State v. Poellinger*, 153 Wis. 2d 493, 504, 451 N.W.2d 752 (1990). The verdict will be overturned only if no trier of fact, acting reasonably, could have found guilt beyond a reasonable doubt, viewing the evidence most favorably to the conviction. See *State v. Alles*, 106 Wis. 2d 368, 376-77, 316 N.W.2d 378 (1982).

The no-merit report summarizes the testimony of the security guard who was present during the robbery and identified Beal. The no-merit report also summarizes the testimony of Milwaukee Police Detective Jorge Suarez, who interviewed Beal after he was arrested and took Beal's inculpatory statement. Based on the testimony of these two witnesses, there was

sufficient evidence for the jury to convict Beal of the charge against him. There would be no arguable merit to a challenge to the sufficiency of the evidence on appeal.

The no-merit report next addresses whether there would be arguable merit to a claim that the circuit court erroneously exercised its discretion when it imposed and stayed a sentence of eighteen months of initial confinement and thirty-six months of extended supervision, and placed Beal on probation for three years. “The principal objectives of a sentence include, but are not limited to, the protection of the community, the punishment of the defendant, rehabilitation of the defendant, and deterrence to others.” *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76. “A sentencing court should indicate the general objectives of greatest importance and explain how, under the facts of the particular case, the sentence selected advances those objectives.” *Id.* The circuit court considered the gravity of Beal’s offense, his rehabilitative needs, and the need to protect the public. The circuit court addressed the objectives of its sentence in light of the circumstances of this case. Because the circuit court applied the facts of this case to the proper legal standards to reach a reasoned and reasonable determination, there would be no arguable merit to a challenge to the sentencing court’s discretion.

Our independent review of the record reveals no other potential issues of arguable merit. Therefore, we affirm the judgment and relieve Attorney Steven Zaleski of further representation of Beal.

Therefore,

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 Steven Zaleski is relieved of further representation of Beal. *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