



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 I

November 24, 2020

To:

Hon. T. Christopher Dee
Circuit Court Judge
901 N. 9th St.
Milwaukee, WI 53233-1425

Pamela Moorshead
Assistant State Public Defender
735 N. Water St., Ste 912
Milwaukee, WI 53202-4116

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

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

Elizabeth A. Longo
Assistant District Attorney
District Attorney's Office
821 W. State St. - Ste. 405
Milwaukee, WI 53233

Shomeek L. Johnson 606101
Green Bay Correctional Inst.
P.O. Box 19033
Green Bay, WI 54307-9033

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

2020AP1122-CRNM State of Wisconsin v. Shomeek L. Johnson (L.C. # 2016CF2942)

Before Brash, P.J., Donald 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).

Shomeek L. Johnson appeals from a judgment of conviction for armed robbery and attempted armed robbery, as a party to the crime, first-degree reckless injury by use of a dangerous weapon, as a party to the crime, and two counts of possession of a firearm by a person adjudicated delinquent of a felony. His appellate counsel 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). Johnson 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, as mandated by *Anders*, the judgment is summarily affirmed because we conclude that there is no arguable merit to any issue that could be raised on appeal. *See* WIS. STAT. RULE 809.21.

Johnson was charged with seven crimes as a result of two carjacking incidents that occurred on the same day. In the first incident, Johnson struck the car's owner on the head with a handgun and took the car. In the second incident, Johnson struggled for the key with the owner of a car Johnson attempted to take. Johnson shot the owner and then sped off without taking the car. Johnson entered a guilty plea to five of the charges and two were dismissed as read-ins at sentencing.² Johnson was sentenced to five consecutive terms totaling twenty-seven years of initial confinement and fifteen years of extended supervision.

The no-merit report addresses the potential issues of whether Johnson's pleas were knowingly, voluntarily, and intelligently entered, whether the pleas were supported by a factual basis, and whether the sentence was the result of an erroneous exercise of discretion or unduly harsh or excessive. This court is satisfied that the no-merit report properly analyzes the issues it raises as being without merit, and this court will not discuss them further.

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

² A charge of attempted first-degree intentional homicide was amended down to first-degree reckless injury by use of a dangerous weapon. The dismissed charges were operating a motor vehicle without the owner's consent and attempted operating a motor vehicle without the owner's consent, both as a party to the crime.

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

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Pamela Moorshead is relieved from further representing Shomeek L. Johnson 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