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DISTRICT II

February 17, 2021

To:

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

2020AP1847-CRNM State of Wisconsin v. Brian J. Baker (L.C. #2019CF314)

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).

Brian J. Baker appeals from a judgment convicting him of repeated sexual assault of a child. 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). Baker 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.

Baker was convicted following a no contest plea to repeated sexual assault of a child. He admitted to sexually assaulting his girlfriend's daughter over a period of multiple years. For his actions, the circuit court imposed a sentence of twelve years of initial confinement and twelve years of extended supervision. This no-merit appeal follows.

The no-merit report addresses potential issues of (1) whether Baker's plea was validly entered, (2) whether the circuit court properly exercised its discretion at sentencing, and (3) whether trial counsel was effective. 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 Baker further in this appeal.

Upon the foregoing reasons,

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

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

IT IS FURTHER ORDERED that Attorney Daniel Goggin, II, is relieved of further representation of Brian J. Baker 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