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**DISTRICT II**

July 7, 2021

To:

Hon. Bruce E. Schroeder  
Circuit Court Judge  
Electronic Notice

Rebecca Matoska-Mentink  
Clerk of Circuit Court  
Kenosha County  
Electronic Notice

Gregory Bates  
Electronic Notice

Michael D. Graveley  
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Cody C. Hendrickson, #640796  
Kettle Moraine Correctional Inst.  
P.O. Box 282  
Plymouth, WI 53073-0282

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

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2020AP1924-CRNM     State of Wisconsin v. Cody C. Hendrickson (L.C. #2016CF506)

Before Neubauer, C.J., Reilly, P.J., and Gundrum, 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).**

Cody C. Hendrickson appeals from a judgment convicting him of substantial battery, domestic abuse, as a repeater. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2019-20)<sup>1</sup> and *Anders v. California*, 386 U.S. 738 (1967). Hendrickson received a copy of the report, was advised of his right to file a response, and has elected not to do so. Upon

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2019-20 version.

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.

Hendrickson was convicted following a guilty plea to substantial battery, domestic abuse, as a repeater. The circuit court withheld sentence and placed Hendrickson on probation. His probation was later revoked due to numerous rules violations, including new acts of violence, and he appeared before the court for sentencing after revocation. There, the court imposed a sentence of two years, six months of initial confinement and two years of extended supervision. This no-merit appeal follows.

The no-merit report addresses whether the circuit court properly exercised its discretion in imposing its sentence after revocation and whether it properly awarded sentence credit. 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.<sup>2</sup> Accordingly, this court accepts the no-merit report, affirms the judgment of conviction, and discharges appellate counsel of the obligation to represent Hendrickson further in this appeal.

Upon the foregoing reasons,

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<sup>2</sup> Any challenge to the underlying conviction is outside the scope of this appeal. *See State ex rel. Marth v. Smith*, 224 Wis. 2d 578, 582 n.5, 592 N.W.2d 307 (Ct. App. 1999). Review of probation revocation is by way of certiorari review to the court of conviction. *Id.* at 583.

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 Gregory Bates is relieved of further representation of Cody C. Hendrickson in this appeal. *See* WIS. STAT. RULE 809.32(3).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

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*Sheila T. Reiff*  
*Clerk of Court of Appeals*