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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 IV

July 29, 2021

To:

Hon. Karl Hanson
Circuit Court Judge
Rock County Courthouse
Electronic Notice

Jacki Gackstatter
Clerk of Circuit Court
Rock County Courthouse
Electronic Notice

Winn S. Collins
Electronic Notice

Jennifer Lohr
Electronic Notice

Gerald A. Urbik
Assistant District Attorney
Electronic Notice

Terry Lorenzo Weston
1250 Dewey Ave.
Beloit, WI 53511

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

2019AP2426-CRNM State of Wisconsin v. Terry Lorenzo Weston (L.C. # 2017CF1758)

Before Blanchard, Kloppenburg, and Nashold, 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).

Attorney Jennifer Lohr, appointed counsel for Terry Weston, has filed a no-merit report seeking to withdraw as appellate counsel pursuant to WIS. STAT. RULE 809.32 (2019-20)¹ and *Anders v. California*, 386 U.S. 738 (1967). Weston was sent a copy of the report and has not filed a response. We conclude that this case is appropriate for summary disposition. *See* WIS.

¹ All references to the Wisconsin Statutes are to the 2019-20 version unless otherwise noted.

STAT. RULE 809.21. Upon consideration of the report and an independent review of the record, we conclude that there is no arguable merit to any issue that could be raised on appeal.

Weston pled guilty to one count of felony retail theft as a repeater. Consistent with the plea agreement, an additional charge was dismissed and the parties agreed to a joint sentencing recommendation.

The no-merit report addresses whether Weston's guilty plea was knowing and voluntary and whether the circuit court erroneously exercised its discretion at sentencing. We are satisfied that the report properly analyzes each of these issues as having no arguable merit.

Consistent with the joint recommendation, the circuit court withheld sentence and ordered Weston to complete three years of probation consecutive to the sentence he was then serving. Given these facts, there could be no arguable merit to a challenge to the sentence.

Our review of the record discloses no other potential issues for appeal.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Jennifer Lohr is relieved of any further representation of Terry Weston in this matter. *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