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**DISTRICT I**

December 7, 2021

To:

Hon. Mark A. Sanders  
Circuit Court Judge  
Electronic Notice

John Barrett  
Clerk of Circuit Court  
Milwaukee County  
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Winn S. Collins  
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Angela Conrad Kachelski  
Electronic Notice

Robert A. Schreiber 52473  
Mike Durfee Dakota State Pen.  
1412 Wood St.  
Springfield, SD 57062

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

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2020AP946-CRNM      State of Wisconsin v. Robert A. Schreiber (L.C. # 2017CF2077)

Before Brash, C.J., Donald, P.J., and White, 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).**

Robert A. Schreiber appeals a judgment convicting him after a jury trial of one count of repeated sexual assault of a child. Appointed appellate counsel, Angela Conrad Kachelski, filed a no-merit report seeking to withdraw as appellate counsel. *See* WIS. STAT. RULE 809.32 (2019-20);<sup>1</sup> *Anders v. California*, 386 U.S. 738, 744 (1967). Schreiber was provided with a copy of the no-merit report and advised of his right to respond, but he has not responded. After considering

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

the no-merit report and conducting an independent review of the record as mandated by *Anders*, we conclude that there are no issues of arguable merit that Schreiber could raise on appeal. Therefore, we summarily affirm the judgment of conviction. *See* WIS. STAT. RULE 809.21.

The no-merit report first addresses two decisions the circuit court made prior to trial. First, the no-merit report discusses whether there would be arguable merit to a claim that the circuit court erroneously exercised its discretion when it denied Schreiber's motion for the circuit court to conduct an in camera review of medical and school records of his alleged victim, T.S.S. Second, the no-merit report addresses whether there would be arguable merit to a claim that the circuit court erroneously exercised its discretion in allowing portions of T.S.S.'s forensic interview to be played for the jury. *See* WIS. STAT. § 908.08. We agree with the no-merit report's analysis of these issues. The circuit court's thorough decisions addressed the appropriate statutory criteria in light of the facts of this case and the circuit court explained the reasons for its rulings in detail. There would be no arguable merit to any appellate issue based on either of these arguments.

The no-merit report addresses whether there was sufficient evidence adduced at trial to support Schreiber's conviction. When reviewing the sufficiency of the evidence, we look at whether "the evidence, viewed most favorably to the [S]tate and the conviction, is so lacking in probative value and force that no trier of fact, acting reasonably, could have found guilt beyond a reasonable doubt." *State v. Zimmerman*, 2003 WI App 196, ¶24, 266 Wis. 2d 1003, 669 N.W.2d 762 (citation omitted). "If any possibility exists that the trier of fact could have drawn the appropriate inferences from the evidence adduced at trial to find the requisite guilt, an appellate court may not overturn [the] verdict[.]" *Id.* (citation omitted).

T.S.S., who was thirteen years old at the time of the trial, testified about Schreiber's sexual abuse of her. In addition, a taped forensic interview of T.S.S. was played for the jury. Lynn Cook testified that she was a forensic interviewer for Children's Hospital and testified that she conducted T.S.S.'s taped interview. Based on our review of the trial transcript and other evidence, we conclude that there was sufficient evidence presented at the trial for the jury to find Schreiber guilty of the charge. There would be no arguable merit to a claim that there was insufficient evidence presented at trial to support the verdict.

The no-merit report also discusses whether there would be any potential appellate issues based on voir dire, the opening jury instructions and statement, the witnesses' testimony, the defense's motion for a directed verdict at the close of the State's case, Schreiber's testimony, the closing jury instructions and arguments, and the verdict. We agree with the report's analysis of these issues and its conclusion that there are no arguably meritorious issues for appeal.

The no-merit report next addresses whether there would be arguable merit to an appellate challenge to Schreiber's sentence. The circuit court sentenced Schreiber to twenty-five years of imprisonment, with fifteen years of initial confinement and ten years of extended supervision. The circuit court considered appropriate sentencing objectives and explained that the sentence it imposed was based on various sentencing criteria applied to the facts of this case. *See State v. Brown*, 2006 WI 131, ¶26, 298 Wis. 2d 37, 725 N.W.2d 262. Because the circuit court properly exercised its discretion, there would be no arguable merit to an appellate challenge to his sentence.

Our independent review of the record reveals no arguable basis for reversing the judgment of conviction. Therefore, we affirm the judgment and relieve Attorney Kachelski of further representation of Schreiber.

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 Angela Conrad Kachelski is relieved of any further representation of Schreiber in this matter. *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*