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**DISTRICT II**

January 12, 2022

To:

Hon. Karen L. Seifert  
Circuit Court Judge  
Electronic Notice

Melissa M. Pingel  
Clerk of Circuit Court  
Winnebago County  
Electronic Notice

Winn S. Collins  
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Christian A. Gossett  
Electronic Notice

Patricia Sommer  
Electronic Notice

Steven A. Pfaff  
P.O. Box 42  
Hortonville, WI 54944

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

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2021AP819-CRNM      State of Wisconsin v. Steven A. Pfaff (L.C. #2018CF215)

Before Gundrum, P.J., Grogan and Kornblum, 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).**

Steven A. Pfaff appeals a judgment of conviction entered upon his no-contest pleas to two counts of felony bail jumping. Pfaff's appointed appellate counsel has 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). Pfaff was advised of his right to file a response but has not done so. Upon consideration of the no-merit report and an independent review of the record as mandated by *Anders* and

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

RULE 809.32, we conclude there is no arguable merit to any issue that could be raised on appeal and summarily affirm the judgment. *See* WIS. STAT. RULE 809.21(1).

The amended criminal complaint alleged that Pfaff, while on bond in a separate case,<sup>2</sup> had violated the conditions of his release by failing to maintain absolute sobriety, as reflected by photographs Pfaff had posted on Facebook of himself drinking in which he claimed to be intoxicated. Pfaff entered into a plea agreement with the State under which he pled no contest to the two bail-jumping charges and the charges in a separate case, Winnebago County Circuit Court case No. 2018CF253, were dismissed and read in. The parties agreed to a joint recommendation of ninety days' jail on each count, concurrent to one another, and that the sentence credit in case No. 2018CF253 should be applied to the sentence in the present case. The circuit court accepted Pfaff's pleas, found him guilty, and sentenced him in accordance with the joint recommendation, effectively ordering a time-served sentence.

The no-merit report addresses whether Pfaff could raise nonfrivolous arguments related to: (1) the sufficiency of the plea colloquy; (2) whether his pleas were knowing, intelligent and voluntary; (3) whether there was a sufficient factual basis for Pfaff's pleas; and (4) whether the circuit court erroneously exercised its sentencing discretion. Our review of the appellate record satisfies us that the no-merit report thoroughly analyzes these issues and properly concludes any challenge based upon them would lack arguable merit. Our review of the record discloses no other potentially meritorious issues for appeal.

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<sup>2</sup> That case, Winnebago County Circuit Court case No. 2017CF490, was dismissed without prejudice and subsequently refiled as Winnebago County Circuit Court case No. 2018CF525.

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

IT IS FURTHER ORDERED that Attorney Patricia Sommer is relieved from further representing Steven A. Pfaff 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*