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DISTRICT II

January 19, 2022

To:

Hon. Faye M. Flancher
Circuit Court Judge
Electronic Notice

Samuel A. Christensen
Clerk of Circuit Court
Racine County
Electronic Notice

Winn S. Collins
Electronic Notice

Patricia J. Hanson
Electronic Notice

Annice Kelly
Electronic Notice

Juafonyay D. Monette, #589517
Dunn County Jail
615 Stokke Parkway Dr.
Menomonie, WI 54751

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

2020AP1663-CRNM State of Wisconsin v. Juafonyay D. Monette (L.C. #2019CF79)

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).

Juafonyay D. Monette appeals from a judgment convicting him of possession of a firearm as a felon, threat to a law enforcement officer, and concealing a stolen firearm, all as a repeater. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2019-20)¹ and *Anders v. California*, 386 U.S. 738 (1967). Monette 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

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

an independent review of the record, we conclude there are no issues with arguable merit for appeal. We summarily affirm the judgment. *See* WIS. STAT. RULE 809.21.

Monette was convicted following no contest pleas to possession of a firearm as a felon, threat to a law enforcement officer, and concealing a stolen firearm, all as a repeater. Several additional charges were dismissed and read-in. For his actions, the circuit court imposed an aggregate sentence of nine years of initial confinement and nine years of extended supervision. This no-merit appeal follows.

The no-merit report addresses: (1) whether the circuit court erred in denying Monette's pre-plea request to fire his attorney or proceed pro se;² (2) whether Monette's ultimate pleas were knowingly, voluntarily, and intelligently entered; and (3) whether the circuit court properly exercised its discretion at sentencing. 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 Monette 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.

² The circuit court found Monette's request to fire his attorney to be without basis, and Monette did not allow the court to complete a colloquy regarding his desire to proceed pro se. In any event, at the later plea hearing, Monette expressed satisfaction with the services his attorney provided.

IT IS FURTHER ORDERED that Attorney Annice Kelly is relieved of further representation of Juafonyay D. Monette 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