



OFFICE OF THE CLERK
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 III

March 22, 2022

To:

Hon. James C. Babler
Circuit Court Judge
Electronic Notice

Sharon Millermon
Clerk of Circuit Court
Barron County Justice Center
Electronic Notice

Winn S. Collins
Electronic Notice

Kathilynne Grotelueschen
Electronic Notice

Suzanne L. Hagopian
Electronic Notice

Brian H. Wright
Electronic Notice

Amanda R. Merrill
105 Martin Avenue, #3
Turtle Lake, WI 54889

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

2019AP1497-CRNM State of Wisconsin v. Amanda R. Merrill (L. C. No. 2017CF229)

Before Stark, P.J.¹

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).

Amanda Merrill appeals from a misdemeanor conviction and sentence. Attorney Kathilynne Grotelueschen has filed a no-merit report seeking to withdraw as appellate counsel. *See* WIS. STAT. RULE 809.32. The no-merit report sets forth the procedural history of the case and addresses whether there were grounds for a suppression motion and whether there are grounds to challenge the plea or sentence. Merrill was advised of her right to respond to the

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2) (2019-20). All references to the Wisconsin Statutes are to the 2019-20 version unless otherwise noted.

no-merit report, but she has not filed a response. Having independently reviewed the entire record as mandated by *Anders v. California*, 386 U.S. 738, 744 (1967), we conclude there are no arguably meritorious issues for appeal.

The State charged Merrill in an amended Information with felony bail jumping; operating a motor vehicle while intoxicated, as a third offense; and operating a motor vehicle with a restricted controlled substance. Merrill pled guilty to the restricted controlled substance offense. In exchange, the State agreed to dismiss and read in the other two charges and to make a joint sentencing recommendation for forty-five days' jail, with work release privileges, a \$1,744 fine, a twenty-four-month revocation of Merrill's driver's license, and placement of ignition interlock devices on Merrill's vehicles for twenty-four months. The circuit court accepted Merrill's plea after conducting a plea colloquy and reviewing a signed plea questionnaire and waiver of rights form. The court proceeded directly to sentencing and adopted the parties' joint sentencing recommendation.

We agree with counsel's description, analysis and conclusion that any challenge to the plea or sentence would lack arguable merit, and that there were no grounds for counsel to raise a suppression motion. Our independent review of the record discloses no other potential issues for appeal. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of *Anders*. Accordingly, Attorney Grotelueschen shall be allowed to withdraw as counsel, and the judgment of conviction will be summarily affirmed. *See* WIS. STAT. RULE 809.21.

Upon the foregoing,

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

IT IS FURTHER ORDERED that Attorney Kathilynne Grotelueschen is relieved of any further representation of Amanda Merrill in this matter pursuant to 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