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**DISTRICT IV**

March 31, 2022

To:

Hon. Wendy J.N. Klicko  
Circuit Court Judge  
Electronic Notice

Carrie Wastlick  
Clerk of Circuit Court  
Sauk County Courthouse  
Electronic Notice

Winn S. Collins  
Electronic Notice

Jennifer Lohr  
Electronic Notice

Dennis J. Ryan  
Electronic Notice

Lavekeio L. Smith 555284  
New Lisbon Correctional Inst.  
P.O. Box 2000  
New Lisbon, WI 53950-2000

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

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2020AP1599-CRNM      State of Wisconsin v. Lavekeio L. Smith (L.C. # 2018CF150)

Before Blanchard, P.J., 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 Lavekeio Smith, has filed a no-merit report seeking to withdraw as appellate counsel pursuant to WIS. STAT. RULE 809.32 (2019-20)<sup>1</sup> and *Anders v. California*, 386 U.S. 738 (1967). Smith was sent a copy of the report and has not filed a response. Upon consideration of the report and an independent review of the record, we

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

conclude that there is no arguable merit to any issue that could be raised on appeal. Accordingly, we affirm.

Smith was charged with five drug-related felony offenses. Pursuant to a plea agreement, he pled no contest to three of the charges and the other two charges were dismissed and read in. As part of the plea agreement, the parties also agreed to make a joint sentencing recommendation, and the circuit court adopted the recommendation when imposing sentence. After sentencing, Smith filed a postconviction motion seeking sentence modification, or in the alternative a stay of his sentence, based on the COVID-19 pandemic. The circuit court denied the motion.

The no-merit report addresses whether Smith's no-contest pleas were knowing, intelligent, and voluntary; whether the circuit court properly exercised its discretion in sentencing Smith; and whether the court properly denied Smith's postconviction motion. We are satisfied that the report properly analyzes each of these issues as having no arguable merit.

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

Therefore,

IT IS ORDERED that the judgment and order are summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Jennifer Lohr is relieved of any further representation of Lavekeio Smith 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*