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DISTRICT III

April 26, 2022

To:

Hon. Michael K. Moran
Circuit Court Judge
Electronic Notice

Joseph N. Ehmann
Electronic Notice

Shirley Lang
Clerk of Circuit Court
Marathon County Courthouse
Electronic Notice

Ellen J. Krahn
Electronic Notice

Theresa Wetzsteon
Electronic Notice

Winn S. Collins
Electronic Notice

Keith S. Vonbraunsberg
2093 Creek Road
Kronenwetter, WI 54455

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

2020AP1321-CRNM State of Wisconsin v. Keith S. Vonbraunsberg
(L. C. No. 2018CM1436)

Before Gill, 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).

Counsel for Keith Vonbraunsberg has filed a no-merit report pursuant to WIS. STAT. RULE 809.32, concluding that no grounds exist to challenge Vonbraunsberg's conviction for one count of disorderly conduct. Vonbraunsberg was informed of his right to file a response to the no-merit report, and he has not responded. Upon our independent review of the record as

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.

mandated by *Anders v. California*, 386 U.S. 738 (1967), we conclude that there is no arguable merit to any issue that could be raised on appeal. Therefore, we summarily affirm the judgment of conviction. See WIS. STAT. RULE 809.21.

A criminal complaint charged Vonbraunsberg with one count of disorderly conduct, as an act of domestic abuse. The complaint alleged that on June 4, 2018, Vonbraunsberg created a disturbance at a bowling alley where B.O.S.—the mother of his child—worked. B.O.S. told law enforcement that Vonbraunsberg was supposed to pick up their child earlier that day, but they had a disagreement about how the exchange would take place. Vonbraunsberg subsequently arrived at the bowling alley, believing that B.O.S. had the child with her at work. He began swearing at B.O.S. and creating a disturbance in front of the bowling alley’s patrons. Based on Vonbraunsberg’s slurred speech, B.O.S. believed that he was intoxicated.

Another bowling alley employee confirmed that Vonbraunsberg was using profanity while speaking to B.O.S. and created enough of a disturbance that the employee asked Vonbraunsberg to leave the business. Vonbraunsberg did not leave, however, and began trying to speak with the bowling alley’s patrons. The employee told Vonbraunsberg to leave the customers alone and to leave the business. Vonbraunsberg then left the bowling alley in a taxi. The employee told law enforcement that he did not want Vonbraunsberg to use profanity—including the “f” word—in front of patrons and children who were in the bowling alley.

Pursuant to a plea agreement, Vonbraunsberg entered a no-contest plea to one count of disorderly conduct, without the domestic abuse enhancer. The parties agreed to jointly recommend a sentence consisting of a \$100 fine, plus court costs. Following a plea colloquy, supplemented by a plea questionnaire and waiver of rights form that Vonbraunsberg had

completed, the circuit court accepted Vonbraunsberg's no-contest plea and found him guilty of disorderly conduct. The court concluded that Vonbraunsberg's plea was freely, voluntarily, and intelligently made. The court further found that the criminal complaint provided a factual basis for Vonbraunsberg's plea.

After accepting Vonbraunsberg's plea, the circuit court proceeded immediately to sentencing. The court accepted the parties' joint recommendation and imposed a \$100 fine, plus court costs.

The no-merit report addresses: (1) whether there would be any arguable merit to a claim that Vonbraunsberg is entitled to withdraw his no-contest plea; and (2) whether there are any arguable grounds to challenge the sentence imposed. Having independently reviewed the record, we agree with counsel's description, analysis, and conclusion that these potential issues lack arguable merit, and we therefore do not address them further.

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

Therefore,

IT IS ORDERED that the judgment is summarily affirmed. WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Ellen Krahn is relieved of further representing Keith Vonbraunsberg in this matter. *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