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**DISTRICT III**

May 17, 2022

To:

Hon. John B. Rhode  
Circuit Court Judge  
Electronic Notice

Marilyn Baraniak  
Clerk of Circuit Court  
Langlade County Courthouse  
Electronic Notice

Elizabeth R. Gebert  
Electronic Notice

Dylan Gehrtz  
Electronic Notice

Stephanie Marie Larson  
2210 Partners Lane, #B  
Schofield, WI 54476

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

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2020AP1773-CRNM      State of Wisconsin v. Stephanie Marie Larson  
(L. C. No. 2018CT51)

Before Gill, J.<sup>1</sup>

**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 Stephanie Larson has filed a no-merit report pursuant to WIS. STAT. RULE 809.32, concluding that no grounds exist to challenge Larson's conviction for operating a motor vehicle while revoked. Larson was informed of her right to file a response to the no-merit report, and she has not responded. Upon our independent review of the record as mandated by *Anders v. California*, 386 U.S. 738 (1967), we conclude that there is no arguable merit to any

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<sup>1</sup> 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.

issue that could be raised on appeal. Therefore, we summarily affirm the judgment of conviction. *See* WIS. STAT. RULE 809.21.

According to the criminal complaint, at 8:04 p.m. on September 1, 2018, an Antigo police officer saw Larson back her vehicle into an unoccupied vehicle. The officer spoke to Larson, and Larson stated that her driver's license was not valid. Law enforcement subsequently confirmed that Larson's operating privilege had been revoked. Although Larson had an occupational license, the operating hours of that license had ended at 5:00 p.m. on September 1, 2018. Based on these events, the State charged Larson with a single count of operating a motor vehicle while revoked.

Larson failed to appear at her scheduled initial appearance on October 9, 2018. At the State's request, the circuit court therefore issued a warrant (body or \$500). Larson appeared in court at a return-on-warrant hearing on November 26, 2018. At that time, the warrant was quashed, and Larson was placed on a \$500 signature bond.

Larson subsequently failed to appear at a scheduled status conference on January 8, 2019. The circuit court again authorized a warrant (body or \$500). Larson then appeared at a return-on-warrant hearing on January 24, 2019. During that hearing, the court again quashed the warrant and reinstated Larson's signature bond.

A plea and sentencing hearing was scheduled for July 25, 2019, but Larson once again failed to appear. Larson's attorney informed the circuit court that Larson, who lived in a neighboring county and did not have either a car or a valid driver's license, was unable to obtain a ride to court. The court again issued a warrant (body or \$150), and Larson subsequently posted the \$150 cash bond. However, on September 24, 2019, Larson again failed to appear at a

scheduled plea and sentencing hearing. The court therefore forfeited the \$150 bond that Larson had posted, subject to a forfeiture hearing, and issued another warrant (body or \$250).

Larson failed to appear at a subsequent hearing on September 30, 2019. A new warrant was not issued, however, due to uncertainty as to whether Larson had been advised of the September 30 hearing date. The circuit court scheduled a plea and sentencing hearing for October 3, 2019. Larson subsequently posted the \$250 cash bond required by the prior warrant. However, she then failed to appear at the October 3, 2019 hearing. The court therefore forfeited Larson's \$250 bond, subject to a forfeiture hearing, and issued another warrant (body or \$500).

Larson appeared at a plea and sentencing hearing on October 10, 2019, and entered a guilty plea to the operating after revocation charge. Following a plea colloquy, supplemented by a plea questionnaire and waiver of rights form that Larson had completed, the circuit court accepted Larson's plea, finding that it was freely and voluntarily entered. The court further found that the criminal complaint set forth an adequate factual basis for Larson's plea. Upon the parties' agreement, the court then proceeded immediately to sentencing. Out of maximum penalties totaling one year in jail and a \$2,500 fine, the court imposed a \$200 fine plus court costs. The court also completed the forfeitures of Larson's two bonds, which totaled \$400.

The no-merit report addresses whether Larson's guilty plea was knowing, intelligent, and voluntary; whether the circuit court erroneously exercised its sentencing discretion; and whether the court erroneously exercised its discretion by ordering the forfeiture of Larson's bonds. We agree with counsel's description, analysis, and conclusion that these potential issues lack arguable merit, and we therefore do not address them further.

The no-merit report next asserts that although Larson has not raised any concern that her trial attorney was ineffective, appellate counsel investigated that issue and “no basis [for] appeal was found.” Our independent review of the record does not reveal any arguable basis to claim that Larson’s trial attorney was ineffective.

The no-merit report also notes that Larson has raised a concern regarding “the [circuit] court issuing warrants and an alleged due process violation.” Because these potential issues pertain to “confidential information outside of the record,” appellate counsel states that the details surrounding these issues “will not be discussed further” in the no-merit report. Counsel asserts, however, that he has investigated these issues and “no basis was found to appeal.” Counsel therefore asserts that further appellate proceedings on these issues would be frivolous and without arguable merit within the meaning of *Anders*. Larson has not responded to the no-merit report. As such, she has not provided any information to dispute counsel’s assertion that these potential issues lack arguable merit. On this record, there is no basis for us to conclude that there would be any arguable merit to a claim regarding the issuance of warrants or an alleged due process violation.

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 Dylan Gehrtz is relieved of further representing Stephanie Larson 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*