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**DISTRICT I**

July 6, 2022

To:

Hon. Jean M. Kies  
Circuit Court Judge  
Electronic Notice

Matt Borkovec  
Electronic Notice

George Christenson  
Clerk of Circuit Court  
Milwaukee County Safety Building  
Electronic Notice

Sara Lynn Shaeffer  
Electronic Notice

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

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2021AP1886-CR      State of Wisconsin v. Jaelyn R. Guyton  
(L.C. # 2021CF109)

Before Donald, P.J., Dugan and White, 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).**

Jaelyn R. Guyton, appeals from a judgment of conviction and an order denying his postconviction motion for relief. After reviewing the briefs and record, we conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2019-20).<sup>1</sup> We further conclude that the circuit court's decision entered on October 7, 2021, identified and applied the proper legal standards to the relevant facts to reach the correct conclusion. We, therefore, incorporate into this order the circuit court's decision, which we are

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

attaching, and summarily affirm on that basis. *See* WIS. CT. APP. IOP VI (5)(a) (court of appeals may adopt circuit court opinion).

On January 11, 2021, the State charged Guyton and a co-defendant with operating a vehicle without the owner's consent (armed carjacking). According to the criminal complaint, Guyton and his co-defendant approached A.M.F., who was sitting in his car in the Village of Shorewood, and demanded that A.M.F. exit the vehicle. A.M.F. exited the car while both Guyton and his co-defendant were pointing guns at him. When A.M.F. reached into the car to get his phone, one of the defendants told him to put the phone down. A.M.F. threw the phone at one of the defendants and ran away. Guyton and his co-defendant then got into A.M.F.'s car and drove away. When police later apprehended the defendants, they found a nine millimeter handgun on the co-defendant's person and a fake gun inside A.M.F.'s vehicle.

Guyton pled guilty. At sentencing, the State requested one-year condition time in the House of Correction and three years of probation. Guyton's counsel requested three months condition time in the House of Correction with Huber allowances, and two years of probation. Both the State and defense counsel drew the circuit court's attention to Guyton's age (he was nineteen years old at the time), Guyton's lack of a prior criminal record, and Guyton's use of a fake gun. The circuit court rejected both recommendations and instead sentenced Guyton to three years of initial confinement, followed by three years of extended supervision. The circuit court acknowledged the parties' arguments, but based its decision primarily on the gravity of the offense. The circuit court noted that Guyton was charged with a Class C felony for which he faced a "possible fine of \$100,000 or ... imprisonment for not more than forty years or both." *See* WIS. STAT. §§ 943.23(1g), 939.50(3)(c).

Guyton filed a postconviction motion requesting sentence modification on the grounds that his sentence was unduly harsh. Specifically, Guyton noted that: neither the State, nor the defense recommended prison time; he was only nineteen years old at the time of the offense; he had no prior record; and he used a fake gun. The circuit court denied the motion. This appeal follows.

The circuit court's decision denying Guyton's postconviction motion states the relevant legal standards and applicable facts. Accordingly, we adopt the circuit court's decision, which offers a complete and thorough analysis of the issues Guyton now raises on appeal.

IT IS ORDERED that the judgment and order are summarily affirmed pursuant to WIS. STAT. RULE 809.21(1).

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*