



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 II

July 13, 2022

To:

Hon. Jeffrey S. Froehlich
Circuit Court Judge
Electronic Notice

Erica L. Bauer
Electronic Notice

Connie Daun
Clerk of Circuit Court
Calumet County Courthouse
Electronic Notice

Winn S. Collins
Electronic Notice

Diverson Edmond
3633 Cherryvale Place, #9
Appleton, WI 54913

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

2021AP1565-CRNM State of Wisconsin v. Diverson Edmond (L.C. #2019CF247)

Before Gundrum, P.J., Grogan and Kornblum, 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).

Diverson Edmond appeals from a judgment convicting him of knowingly violating a domestic abuse injunction and felony bail jumping. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2019-20)¹ and *Anders v. California*, 386 U.S. 738 (1967). Edmond received a copy of the report, was advised of his right to file a response, and has elected not to do so. Upon consideration of the report and an independent review of the record, we

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

conclude there are no issues with arguable merit for appeal. We summarily affirm the judgment. *See* WIS. STAT. RULE 809.21.

Edmond was convicted following a jury trial of knowingly violating a domestic abuse injunction and felony bail jumping. He was accused of sending a third party—a nurse practitioner assigned to give him a physical exam—to make contact with his ex-fiancée at her residence despite a domestic abuse injunction prohibiting him from doing so.² At the time of the incident, Edmond was out on bond in a felony case with the condition that he not commit any crime. For his actions, the circuit court imposed and stayed a nine-month sentence and placed Edmond on probation with conditional jail time. This no-merit appeal follows.

The no-merit report addresses potential issues of: (1) whether the circuit court properly allowed the State to introduce other acts evidence at trial;³ (2) whether the evidence was sufficient to support the convictions; (3) whether other trial matters—including jury selection, jury instructions, evidentiary rulings, and opening statements/closing arguments—warranted relief; (4) whether the circuit court properly exercised its discretion at sentencing; and (5) whether Edmond was entitled to additional sentence credit. This court is satisfied that the no-merit report correctly analyzes the issues it raises as without merit, and we will not discuss them further.

² The injunction allowed third-party contact for child placement purposes. The third party sent by Edmond did not fall under this exception.

³ The other acts evidence concerned a prior incident in which Edmond had attempted to make a FaceTime request with his ex-fiancée after the injunction was in place and claimed that it was an accident.

Our review of the record discloses no other potential issues for appeal. Accordingly, this court accepts the no-merit report, affirms the judgment, and discharges appellate counsel of the obligation to represent Edmond further in this appeal.

Upon the foregoing reasons,

IT IS ORDERED that the judgment of the circuit court is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Erica L. Bauer is relieved of further representation of Diverson Edmond in this appeal. *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