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**DISTRICT II**

August 17, 2022

To:

Hon. Steven Michael Cain  
Circuit Court Judge  
Electronic Notice

Adam Y. Gerol  
Electronic Notice

Marylou Mueller  
Clerk of Circuit Court  
Ozaukee County Justice Center  
Electronic Notice

Mark A. Schoenfeldt  
Electronic Notice

Garland D. Kennedy  
3352 N. 44th St.  
Milwaukee, WI 53216

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

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2021AP7-CRNM	State of Wisconsin v. Garland D. Kennedy (L.C. #2019CT255)
2021AP8-CRNM	State of Wisconsin v. Garland D. Kennedy (L.C. #2019CM291)

Before Grogan, 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).**

In these consolidated matters, Garland D. Kennedy appeals judgments of conviction entered upon his no-contest pleas to two counts of operating a motor vehicle after revocation and one count of obstructing an officer. His appointed appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 and *Anders v. California*, 386 U.S. 738, 744 (1967). Kennedy received a copy of the report, was advised of his right to file a response, and has not done so. Upon consideration of the no-merit report and an independent review of the records, we

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<sup>1</sup> This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(f) (2019-20). All references to the Wisconsin Statutes are to the 2019-20 version unless otherwise noted.

conclude that the judgments may be summarily affirmed because there are no arguably meritorious issues for appeal. *See* WIS. STAT. RULE 809.21.

Kennedy was charged across two complaints with operating a motor vehicle after revocation (single count in Ozaukee County No. 2019CT255); obstructing an officer (count one in Ozaukee County No. 2019CM291); and operating a motor vehicle after revocation (count two in Ozaukee County No. 2019CM291). Pursuant to a plea agreement, Kennedy pled no contest to all three counts, and the State agreed to make certain sentencing recommendations. The cases immediately proceeded to sentencing. As to the single count in 2019CT255, the circuit court imposed a \$100 fine plus costs. As to count one in 2019CM291, the court imposed but stayed a five-month jail sentence in favor of one year of probation with conditions. On count two, the court imposed a thirty-day jail sentence. These consolidated no-merit appeals follow.

Appointed counsel's no-merit report addresses: (1) whether Kennedy's no-contest pleas were knowingly, voluntarily, and intelligently entered; (2) whether there exists a factual basis for the convictions; (3) whether the circuit court properly exercised its discretion in imposing sentence; and (4) whether Kennedy was denied the effective assistance of trial counsel. This court is satisfied that the no-merit report correctly analyzes the issues it raises as without merit, and this court will not discuss them further.

Our review of the records discloses no other potential issues for appeal. Accordingly, the court accepts the no-merit report, affirms the judgments of conviction, and discharges appellate counsel of the obligation to further represent Kennedy in these consolidated appeals. Therefore,

IT IS ORDERED that the judgments of conviction are summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Mark A. Schoenfeldt is relieved from further representing Garland D. Kennedy in these appeals. *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*