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DISTRICT II

September 7, 2022

To:

Hon. Steven Michael Cain
Circuit Court Judge
Electronic Notice

Douglas C. McIntosh
Electronic Notice

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

Ryan Adam Shaw, #597271
Fox Lake Correctional Inst.
P.O. Box 200
Fox Lake, WI 53933-0200

Winn S. Collins
Electronic Notice

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

2022AP565-CRNM State of Wisconsin v. Ryan Adam Shaw (L.C. #2019CF291)

Before Neubauer, Grogan and Lazar, 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).

Ryan Adam Shaw appeals from a judgment convicting him of possession of narcotic drugs 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). Shaw 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 conclude there are no

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

issues with arguable merit for appeal. We summarily affirm the judgment. *See* WIS. STAT. RULE 809.21.

Shaw was convicted following no-contest pleas to possession of narcotic drugs and felony bail jumping. The circuit court withheld sentence and placed Shaw on probation. His probation was later revoked due to numerous rules violations, including new criminal offenses, and he appeared before the court for sentencing after revocation. There, the court imposed an aggregate sentence of four years of initial confinement and four years of extended supervision. This no-merit appeal follows.

The no-merit report addresses whether the circuit court erred when sentencing Shaw after his revocation. This court is satisfied that the no-merit report correctly analyzes the issue it raises as without merit, and we will not discuss it further.

Our review of the record discloses no other potential issues for appeal.² Accordingly, this court accepts the no-merit report, affirms the judgment of conviction, and discharges appellate counsel of the obligation to represent Shaw 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.

² Any challenge to the underlying convictions is outside the scope of this appeal. *See State ex rel. Marth v. Smith*, 224 Wis. 2d 578, 582 n.5, 592 N.W.2d 307 (Ct. App. 1999). In addition, “review of probation revocation is by way of certiorari review to the court of conviction.” *Id.* at 583.

IT IS FURTHER ORDERED that Attorney Douglas C. McIntosh is relieved of further representation of Ryan Adam Shaw 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