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**DISTRICT I**

September 20, 2022

To:

Hon. Frederick C. Rosa  
Circuit Court Judge  
Electronic Notice

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

Winn S. Collins  
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Pamela Moorshead  
Electronic Notice

Monteri Lashaun Jones 565501  
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P.O. Box 233  
Black River Falls, WI 54615-0233

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

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2022AP255-CRNM	State of Wisconsin v. Monteri Lashaun Jones (L.C. # 2019CF1370)
2022AP256-CRNM	State of Wisconsin v. Monteri Lashaun Jones (L.C. # 2019CF4420)

Before Brash, C.J., Donald, P.J., and Dugan, J.

**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).**

Monteri Lashaun Jones appeals judgments convicting him of one count of felony witness intimidation, one count of solicitation of felony witness intimidation, one count of misdemeanor criminal damage to property with use of a dangerous weapon, and one count of misdemeanor disorderly conduct with use of a dangerous weapon, all counts as a habitual criminal. Attorney Pamela Moorshead was appointed to represent Jones for appellate proceedings. She filed a no-

merit report pursuant to WIS. STAT. RULE 809.32 (2019-20),<sup>1</sup> and *Anders v. California*, 386 U.S. 738, 744 (1967). Jones was advised of his right to respond to the report but he did not respond. After considering the no-merit report and conducting an independent review of the record as mandated by *Anders*, we conclude that there are no issues of arguable merit that could be raised on appeal. Therefore, we summarily affirm. See WIS. STAT. RULE 809.21.

The no-merit report first addresses whether there would be arguable merit to a claim that Jones did not knowingly, intelligently, and voluntarily enter his guilty pleas. The circuit court conducted a colloquy with Jones that complied with WIS. STAT. § 971.08 and *State v. Bangert*, 131 Wis. 2d 246, 266-72, 389 N.W.2d 12 (1986). The record reflects that prior to the plea hearing, Jones discussed information pertinent to entering his pleas with his trial counsel, and he reviewed two plea questionnaire and waiver of rights forms, one pertaining to each case. See *State v. Moederndorfer*, 141 Wis. 2d 823, 827-28, 416 N.W.2d 627 (Ct. App. 1987) (stating that the circuit court may rely on a plea questionnaire and waiver of rights form in assessing the defendant's knowledge about the rights he or she is waiving). Therefore, we concur with Appellate Counsel's assessment that there would be no arguable merit to a claim that Jones did not knowingly, intelligently, and voluntarily enter his guilty pleas.

The no-merit report next addresses whether there would be arguable merit to a claim that there was no factual basis for Jones' guilty pleas. Before the circuit court accepts a guilty plea, it must "[m]ake such inquiry as satisfies it that the defendant in fact committed the crime charged." WIS. STAT. § 971.08(1)(b). Jones informed the circuit court at the plea hearing that he did not agree with many of the facts alleged in the criminal complaint with regard to the criminal damage

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2017-18 version unless otherwise noted.

to property and disorderly conduct charges. However, Jones agreed that he struck the victim's car with a board, causing damage to the victim's car without the victim's consent, which was a sufficient factual basis for those two crimes. Jones also agreed that the facts alleged in the criminal complaint with regard to the witness intimidation charges were true, and the complaint provided an extensive factual basis for those crimes. Therefore, there would be no arguable merit to an appellate challenge to the pleas.

The no-merit report next addresses whether there would be arguable merit to a claim that the circuit court erroneously exercised its sentencing discretion when it sentenced Jones to a total of four years and three months of initial confinement and three years of extended supervision. The record establishes that the circuit court considered the general objectives of sentencing and applied the sentencing factors to the facts of this case, reaching a reasoned and reasonable result. *See State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76 (stating that the circuit court must identify the factors it considered and explain how those factors fit the sentencing objectives and influenced its sentencing decision). There would be no arguable merit to an appellate sentencing challenge.

Our review of the record discloses no other potential issues for appeal. Accordingly, we accept the no-merit report, affirm the convictions, and discharge appellate counsel of the obligation to further represent Jones.

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

IT IS FURTHER ORDERED that Attorney Pamela Moorshead is relieved from further representing Monteri Lashaun Jones 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*