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**DISTRICT I**

September 27, 2022

To:

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Circuit Court Judge  
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Pamela Moorshead  
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Curtis L. Mills 677787  
Oshkosh Correctional Inst.  
P.O. Box 3310  
Oshkosh, WI 54903-3310

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

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2021AP131-CRNM      State of Wisconsin v. Curtis L. Mills (L.C. # 2018CF2321)

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).**

Curtis L. Mills appeals a judgment convicting him after a jury trial of one count of first-degree sexual assault of a child (sexual contact with a person under the age of thirteen), one count of child abuse-recklessly causing harm, and one count of strangulation and suffocation. Assistant State Public Defender Pamela Moorshead filed a no-merit report seeking to withdraw as appellate counsel. *See* WIS. STAT. RULE 809.32 (2019-20);<sup>1</sup> *Anders v. California*, 386 U.S.

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

738, 744 (1967). Mills was advised of his right to respond, but he did not do so. 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 Mills could raise on appeal. Therefore, we summarily affirm. *See* WIS. STAT. RULE 809.21.

The no-merit report first addresses whether there was sufficient evidence adduced at trial to support Mills' convictions. When reviewing the sufficiency of the evidence, we look at whether "the evidence, viewed most favorably to the [S]tate and the conviction, is so lacking in probative value and force that no trier of fact, acting reasonably, could have found guilt beyond a reasonable doubt." *State v. Zimmerman*, 2003 WI App 196, ¶24, 266 Wis. 2d 1003, 669 N.W.2d 762 (citation omitted). "If any possibility exists that the trier of fact could have drawn the appropriate inferences from the evidence adduced at trial to find the requisite guilt, an appellate court may not overturn [the] verdict[.]" *Id.* (citation omitted).

Lynn Cook, a forensic interviewer with the Milwaukee Child Advocacy Center, testified about her forensic interview of the victim, and the interview was played for the jury. The victim's grandmother testified about the physical abuse she observed the victim suffer at Mills' hands and testified about the victim telling her about being sexually assaulted by Mills. The victim, who was eleven years old at the time of trial and eight years old at the time of the sexual assault, testified about Mills' sexual and physical assaults. The victim's teacher testified that the victim told her that Mills sexually assaulted her when her grandmother, with whom the victim lived, was away in Arizona. Based on our review of the trial transcripts, as partially summarized here, we conclude that there was sufficient evidence presented at the trial for the jury to find Mills guilty of the charges. There would be no arguable merit to a claim that there was insufficient evidence presented at trial to support the verdict.

The no-merit report also addresses whether there would be arguable merit to an appellate challenge to Mills' sentence. The circuit court sentenced Mills to an aggregate term of ten years of initial confinement and eight years of extended supervision. The circuit court considered the gravity of the offenses, which it characterized as highly aggravated; Mills' character; and the need to protect the public. The sentence the circuit court imposed was based on appropriate sentencing criteria applied to the facts of this case. *See State v. Brown*, 2006 WI 131, ¶26, 298 Wis. 2d 37, 725 N.W.2d 262. Because the circuit court properly exercised its discretion, there would be no arguable merit to an appellate challenge to the sentence.

Finally, the no-merit report addresses whether any other potential issues arose before or at trial requiring reversal. We agree with counsel's analysis that there are no other potential issues. Similarly, our independent review of the record reveals no arguable basis for reversing the judgment of conviction. Therefore, we affirm the judgment and we relieve counsel of further representation of Mills.

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

IT IS FURTHER ORDERED that Assistant State Public Defender Pamela Moorshead is relieved of any further representation of Mills in this matter. *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*