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**DISTRICT III**

October 4, 2022

To:

Hon. Carrie A. Schneider  
Circuit Court Judge  
Electronic Notice

Barb Bocik  
Clerk of Circuit Court  
Outagamie County Courthouse  
Electronic Notice

Susan E. Alesia  
Electronic Notice

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Jeffrey J. Luedeman 416151  
Kettle Moraine Correctional Inst.  
P.O. Box 282  
Plymouth, WI 53073-0282

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

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2022AP309-CRNM	State of Wisconsin v. Jeffrey J. Luedeman
2022AP333-CRNM	(L. C. Nos. 2020CF657, 2020CF534)

Before Stark, P.J., Hruz and Gill, 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).**

In these consolidated appeals, counsel for Jeffrey Luedeman has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2019-20),<sup>1</sup> concluding that no grounds exist to challenge Luedeman's convictions for child abuse (intentionally causing bodily harm), disorderly conduct, felony bail jumping, and taking and driving a vehicle without the owner's consent. Luedeman has filed a response to the no-merit report, which appears to challenge the sufficiency of the evidence to support his convictions. Upon our independent review of the records as mandated by

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

*Anders v. California*, 386 U.S. 738 (1967), we conclude that there is no arguable merit to any issue that could be raised on appeal. Therefore, we summarily affirm the judgments of conviction. See WIS. STAT. RULE 809.21.

In June 2020, the State filed a criminal complaint in Outagamie County case No. 2020CF534 charging Luedeman with physical abuse of a child (intentionally causing bodily harm), strangulation and suffocation, and disorderly conduct. The complaint alleged that a sheriff's deputy was dispatched to Luedeman's home following a report of a disturbance. When the deputy arrived, a witness reported that M.J.Y., a fourteen-year-old girl, had received her report card in the mail, and Luedeman was not happy with her grades. According to multiple witnesses, a verbal dispute between Luedeman and M.J.Y. turned physical, and Luedeman punched M.J.Y. in the head and lifted her off of the ground by her throat. Officers observed a red mark on M.J.Y.'s head and a discolored area on her neck. When questioned, Luedeman admitted grabbing M.J.Y.'s throat, but he claimed he did so to protect himself after M.J.Y. began hitting him. On the way to jail, Luedeman called a sheriff's deputy derogatory names and threatened to "beat the shit" out of the deputy if he ever saw him at a bar.

Luedeman was released on bond in case No. 2020CF534. The State subsequently filed a second criminal complaint against Luedeman in Outagamie County case No. 2020CF657. The complaint in that case alleged that while Luedeman was released on bond, a woman contacted police to report a trespass and a theft of her vehicle. The woman reported that she met Luedeman at a bar in July 2020, and they exchanged phone numbers. Luedeman later showed up at the woman's apartment unannounced and entered the apartment without her permission. Two days later, Luedeman again entered the woman's apartment without her permission while she was sleeping, and he "crawled into bed with her and slept in her bed." A few days later,

Luedeman and the woman were both at the same bar, and he became angry that the woman was talking with two other men. When the woman went outside later that evening, she noticed that her car was missing. When she arrived at home, she found the car in her apartment complex's parking lot. Luedeman sent the woman text messages and voice messages admitting that he had taken her car. Based on these allegations, the State charged Luedeman with two counts of felony bail jumping, one count of disorderly conduct, and one count of taking and driving a vehicle without the owner's consent.

The parties ultimately reached a plea agreement. Under the agreement, Luedeman would plead no contest to physical abuse of a child (intentionally causing bodily harm) and disorderly conduct in case No. 2020CF534. In case No. 2020CF657, Luedeman would plea no contest to taking and driving a vehicle without the owner's consent and one count of felony bail jumping. In exchange for Luedeman's pleas, the State agreed that the remaining counts in both cases would be dismissed and read in. The parties further agreed that the State would not recommend a prison sentence and that the defense would be free to argue at sentencing. Following a plea colloquy, supplemented by a signed plea questionnaire and waiver of rights form, the circuit court accepted Luedeman's pleas, concluding that they were freely, voluntarily, and intelligently entered. The court further found that the record contained an adequate factual basis for acceptance of Luedeman's pleas.

The circuit court subsequently held a sentencing hearing, during which the parties presented their sentencing arguments, M.J.Y.'s mother addressed the court, and Luedeman exercised his right of allocation. Consistent with the plea agreement, the State recommended that the court impose four years of probation, with a total of two years of conditional jail time. The defense recommended three years of probation "on each of the cases," with ninety days of

conditional jail time. The court determined that probation would be inappropriate, given the severity of Luedeman’s offenses, his prior failures on community supervision, and the risk he posed to the community. After considering Luedeman’s character—including his criminal record and his past failures on supervision—as well as the severity of the offenses and the need to protect the public, the court imposed concurrent sentences totaling two years of initial confinement followed by two years of extended supervision.

The no-merit report addresses whether Luedeman’s no-contest pleas were knowing, intelligent, and voluntary; whether an adequate factual basis existed for Luedeman’s pleas; and whether the circuit court erroneously exercised its sentencing discretion. We agree with counsel’s description, analysis, and conclusion that these potential issues lack arguable merit, and we therefore do not address them further.

In his response to the no-merit report, Luedeman appears to challenge the sufficiency of the evidence to support his convictions. He claims, for instance, that he placed his hands on M.J.Y.’s neck because she was coming toward him in a violent manner and he was trying to push her away. Luedeman also contends that he did not intend to hurt M.J.Y. and that he was “scared for [his] life.” Luedeman further asserts that he was in a sexual relationship with the victim in case No. 2020CF657 and had permission to stay at her apartment. In addition, he claims that he told the victim in that case that he was going to drive her vehicle back to her apartment complex because the victim was too drunk to drive herself home.

Although Luedeman may believe that these allegations show that he did not commit the crimes to which he pled, a valid guilty or no-contest plea waives all nonjurisdictional defects and defenses. *State v. Lasky*, 2002 WI App 126, ¶11, 254 Wis. 2d 789, 646 N.W.2d 53. As such,

Luedeman cannot now argue that he is entitled to relief because he did not actually commit the crimes in question. Moreover, we have already determined, for the reasons set forth in the no-merit report, that there would be no arguable merit to a claim challenging the factual basis for Luedeman's pleas.

Our independent review of the records discloses no other potential issues for appeal.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Susan E. Alesia is relieved of her obligation to further represent Jeffrey Luedeman in these matters. *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*