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**DISTRICT III**

November 22, 2022

To:

Hon. Thomas J. Walsh  
Circuit Court Judge  
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Brown County Courthouse  
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Jeremy Newman  
Electronic Notice

Keng Vang  
4559 Washburn Avenue N.  
Minneapolis, MN 55412

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

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2020AP1494-CRNM      State of Wisconsin v. Keng Vang (L. C. No. 2018CF733)

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).**

Keng Vang appeals from a judgment convicting him of conspiracy to deliver more than 10,000 grams of THC. Assistant State Public Defender Jeremy Newman has 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. 738, 744 (1967). The no-merit report sets forth the procedural history of the case and addresses Vang's plea and sentence. Vang was advised of the right to respond to the no-merit report, but he has not filed a response. Having independently reviewed

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

the entire record, we conclude that counsel will be allowed to withdraw, and the judgment of conviction shall be summarily affirmed. *See* WIS. STAT. RULE 809.21.

The conspiracy charge arose out of a months-long investigation of an extensive family-run marijuana business that operated in Wisconsin and California. The investigation included multiple controlled drug buys, several executed search warrants, analysis of cell phones and bank records, and witness statements. Vang eventually entered a no-contest plea to the charge without any plea agreement.

The circuit court conducted a colloquy relying, in part, upon Vang's plea questionnaire to ascertain that Vang understood the nature of the charge and the constitutional rights he would be waiving by entering a no-contest plea. After further verifying that the facts in the complaint supported the charge, the court accepted the plea. At a subsequent hearing, the court heard from the parties and a drug task force leader who provided additional details about the conspiracy. The court then sentenced Vang to fourteen months' initial confinement followed by thirty-six months' extended supervision.

We agree with counsel's analysis and conclusion that any challenge to the plea or sentence would lack arguable merit. The record does not show any flaws in the plea colloquy, and Vang has not alleged that he misunderstood any of the information provided. The sentence did not exceed the maximum available penalty, and the circuit court rationally explained why it imposed the sentence based upon proper sentencing factors and objectives. *See* WIS. STAT. §§ 961.41(1)(h)5., 973.01(2)(b)7., 973.01(2)(d)4.; *State v. Gallion*, 2004 WI 42, ¶¶39-46, 270 Wis. 2d 535, 678 N.W.2d 197. Our independent review of the record discloses no other potential

issues for appeal. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of *Anders* and WIS. STAT. RULE 809.32.

Upon the foregoing,

IT IS ORDERED that the judgment of conviction is summarily affirmed pursuant to WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Assistant State Public Defender Jeremy Newman is relieved of any further representation of Keng Vang in this matter pursuant to 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*