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DISTRICT II

January 18, 2023

To:

Hon. Todd K. Martens
Circuit Court Judge
Electronic Notice

Sarah Adjemian
Juvenile Clerk
Washington County Courthouse
Electronic Notice

Erica L. Bauer
Electronic Notice

Winn S. Collins
Electronic Notice

Enoch Adam Arteaga, #616656
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:

2022AP137-CRNM State of Wisconsin v. Enoch Adam Arteaga (L.C. #2020CF326)

Before Gundrum, P.J., 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).

Enoch Adam Arteaga appeals from a judgment convicting him of armed robbery with use of force as a repeater. 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). Arteaga 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.

Arteaga was convicted following a guilty plea to armed robbery with use of force as a repeater. He was accused of robbing a convenience store clerk with the threat of a gun. At the time of the offense, Arteaga was on extended supervision for a prior armed robbery. Several additional charges were dismissed and read in.² The circuit court sentenced Arteaga to six years of initial confinement and ten years of extended supervision.

The no-merit report addresses the propriety of the plea and sentence and whether grounds exist to challenge either one. This court is satisfied that the no-merit report correctly analyzes the issues it raises as without merit, and we will not discuss them further.

Our review of the record discloses no other potential issues for appeal.³ Accordingly, this court accepts the no-merit report, affirms the judgment of conviction, and discharges appellate counsel of the obligation to represent Arteaga 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 The additional charges in this case were possession of narcotic drugs, driving or operating a vehicle without the owner's consent, and obstructing an officer—all as a repeater.

³ We note that Arteaga's plea forfeited the right to raise other nonjurisdictional defects and defenses, including claimed violations of constitutional rights. *See State v. Kelty*, 2006 WI 101, ¶18 & n.11, 294 Wis. 2d 62, 716 N.W.2d 886; *see also State v. Lasky*, 2002 WI App 126, ¶11, 254 Wis. 2d 789, 646 N.W.2d 53.

IT IS FURTHER ORDERED that Attorney Erica L. Bauer is relieved of further representation of Enoch Adam Arteaga 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