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**DISTRICT III**

February 14, 2023

To:

Hon. John P. Anderson  
Circuit Court Judge  
Electronic Notice

Kay Cederberg  
Clerk of Circuit Court  
Bayfield County Courthouse  
Electronic Notice

Winn S. Collins  
Electronic Notice

Kimberly Allison Lawton  
Electronic Notice

Melissa M. Petersen  
Electronic Notice

Lincoln Samuel Morris  
37465 Hillside Drive, #14  
Bayfield, WI 54814

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

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2020AP1992-CRNM      State of Wisconsin v. Lincoln Samuel Morris  
(L. C. No. 2019CF105)

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).**

Before Gill, J.<sup>1</sup>

Counsel for Lincoln Morris has filed a no-merit report concluding no grounds exist to challenge Morris's conviction for disorderly conduct. Morris was informed of his right to file a response to the no-merit report, and he has not responded. Upon an independent review of the

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<sup>1</sup> This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2) (2019-20). All references to the Wisconsin Statutes are to the 2019-20 version unless otherwise noted.

record as mandated by *Anders v. California*, 386 U.S. 738 (1967), this court concludes there is no arguable merit to any issue that could be raised on appeal. Therefore, the judgment of conviction is summarily affirmed. See WIS. STAT. RULE 809.21.

The State charged Morris with second-degree recklessly endangering safety, arising from allegations that Morris swung a machete at a man's head while the man was visiting a gravesite. In exchange for Morris's no-contest plea to an amended charge of disorderly conduct, the State agreed that it would not charge two other offenses, but that they would be read in for sentencing purposes. The State also agreed to join in defense counsel's recommendation for sixty days in jail, imposed and stayed, and twelve months of probation. Out of a maximum possible ninety-day sentence, the circuit court imposed a sentence consistent with the joint recommendation.

The no-merit report addresses whether Morris knowingly, intelligently and voluntarily entered his no-contest plea; whether the circuit court erroneously exercised its sentencing discretion; and whether there are any grounds to challenge the effectiveness of Morris's trial counsel. Upon reviewing the record, we agree with counsel's analysis and conclusion that there is no arguable merit to any of these issues.

We note that, at the plea hearing, the circuit court failed to personally advise Morris of the potential deportation consequences of his plea, as mandated by WIS. STAT. § 971.08(1)(c). However, in order to obtain relief because of such an omission, a defendant must show that the plea is likely to result in deportation, exclusion from admission, or denial of naturalization. See *State v. Negrete*, 2012 WI 92, ¶26, 343 Wis. 2d 1, 819 N.W.2d 749. The record reflects that Morris is a United States citizen; therefore, any claim that Morris would be subject to adverse

immigration consequences lacks arguable merit. The no-merit report otherwise sets forth an adequate discussion of the potential issues to support the no-merit conclusion, and we need not address them further.

An independent review of the record discloses no other potential issue for appeal.

Therefore,

IT IS ORDERED that the judgment is summarily affirmed. WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Melissa Peterson is relieved of her obligation to further represent Lincoln Morris 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*