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DISTRICT II

March 15, 2023

To:

Hon. Jason A. Rossell
Circuit Court Judge
Electronic Notice

Rebecca Matoska-Mentink
Clerk of Circuit Court
Kenosha County Courthouse
Electronic Notice

Winn S. Collins
Electronic Notice

Marcella De Peters
Electronic Notice

Michael D. Graveley
Electronic Notice

Nathen S. Wright, #628474
Fox Lake Correctional Inst.
P.O. Box 200
Fox Lake, WI 53933-0200

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

2020AP2083-CRNM State of Wisconsin v. Nathen S. Wright (L.C. #2018CF968)

Before Gundrum, P.J., Neubauer 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).

Nathen S. Wright appeals from a judgment convicting him of physical abuse of a child by recklessly causing great bodily harm, as a repeater. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2021-22)¹ and *Anders v. California*, 386 U.S. 738 (1967). Wright 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

¹ All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

conclude there are no issues with arguable merit for appeal. We summarily affirm the judgment. *See* WIS. STAT. RULE 809.21.

Wright was originally charged with physical abuse of a child, intentionally causing great bodily harm, a Class C felony, as a repeater. Pursuant to a negotiated settlement, he pled no contest to a reduced charge of physical abuse of a child, recklessly causing great bodily harm, a Class E felony, as a repeater. The circuit court imposed a bifurcated sentence totaling twelve years, with nine years of initial confinement followed by three years of extended supervision. This no-merit appeal follows.

Appointed counsel's no-merit report addresses whether Wright's no-contest plea was knowingly, voluntarily, and intelligently entered, and whether the circuit court properly exercised its discretion at sentencing. 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.² Accordingly, this court accepts the no-merit report, affirms the judgment of conviction, and discharges appellate counsel of the obligation to represent Wright further in this appeal. Therefore,

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

² We note that Wright's no-contest 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 Marcella De Peters is relieved from further representing Nathen S. Wright 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