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DISTRICT IV

April 13, 2023

To:

Hon. Karl Hanson
Circuit Court Judge
Electronic Notice

Jacki Gackstatter
Clerk of Circuit Court
Rock County Courthouse
Electronic Notice

Winn S. Collins
Electronic Notice

John P. Mueller
Electronic Notice

David J. O'Leary
Electronic Notice

Carlton Lee Glenmore III 318997
Winnebago Correctional Center
P.O. Box 219
Winnebago, WI 54985-0219

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

2021AP1924-CRNM State of Wisconsin v. Carlton Lee Glenmore, III
(L.C. # 2017CF2075)

Before Kloppenburg, Fitzpatrick, and Nashold, 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).

Attorney John Mueller, as appointed counsel for Carlton Lee Glenmore, filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2021-22)¹ and *Anders v. California*, 386 U.S. 738 (1967). Counsel provided Glenmore with a copy of the report, and both counsel and this court advised him of his right to file a response. Glenmore has not responded. We conclude that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21. After our

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

independent review of the record, we conclude that there is no arguable merit to any issue that could be raised on appeal.

In 2018, Glenmore was convicted of two felony counts of bail jumping. The circuit court withheld sentence and placed him on probation. Glenmore's probation was later revoked and in 2020 he was returned to the circuit court for sentencing. The court imposed concurrent sentences of two years and three months of initial confinement and three years of extended supervision.

An appeal from sentencing after revocation of probation does not bring before us the original judgment of conviction unless the appellant shows good cause to extend the time to appeal from that judgment under WIS. STAT. RULE 809.82(2). See *State v. Drake*, 184 Wis. 2d 396, 399, 515 N.W.2d 923 (Ct. App. 1994). No good cause appears in the record to extend Glenmore's time to appeal from the original 2018 judgment of conviction, and therefore only issues related to sentencing are before us now.

The no-merit report addresses Glenmore's sentences. As explained in the no-merit report, the sentences are within the legal maximum. As to discretionary issues, the standards for the circuit court and this court are well established and need not be repeated here. See *State v. Gallion*, 2004 WI 42, ¶¶17-51, 270 Wis. 2d 535, 678 N.W.2d 197. In this case, the circuit court considered appropriate factors, did not consider improper factors, and reached a reasonable result. There is no arguable merit to this issue.

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

Therefore,

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

IT IS FURTHER ORDERED that Attorney Mueller is relieved of further representation of Glenmore in this matter. *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