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**DISTRICT II**

May 17, 2023

To:

Hon. Tricia Walker  
Circuit Court Judge  
Electronic Notice

Tessa Button  
160 S. Macy St.  
Fond du Lac, WI 54935

Ramona Geib  
Clerk of Circuit Court  
Fond du Lac County Courthouse  
Electronic Notice

Bobby R. Buechel, #314295  
New Lisbon Correctional Inst.  
P.O. Box 2000  
New Lisbon, WI 53950-2000

Gregory Bates  
Electronic Notice

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

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2022AP862-CRNM      State of Wisconsin v. Bobby R. Buechel (L.C. #2020CM883)

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

**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).**

Bobby R. Buechel appeals a judgment of conviction for misdemeanor bail jumping with a time served disposition. His appointed appellate counsel has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 and *Anders v. California*, 386 U.S. 738 (1967). Buechel was advised of his right to file a response but has not done so. Upon consideration of the no-merit report and an independent review of the Record as mandated by *Anders*, we conclude there is no issue of

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<sup>1</sup> This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(f) (2021-22). All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

arguable merit that could be raised on appeal. We therefore summarily affirm the judgment. *See* WIS. STAT. RULE 809.21(1).

Buechel was charged with one count of misdemeanor bail jumping and two counts of misdemeanor disorderly conduct, all as a repeater. The Criminal Complaint alleged that, in the early morning hours of November 1, 2020, he appeared in a Kwik Trip intoxicated. He attempted to start a fight with a group of black males by threatening them and shouting racial epithets. He also shouted obscenities at a clerk who tried to intervene. The Complaint further alleged that at the time of the offense, Buechel was released from custody on a signature bond in a Dodge County case, with conditions that he have no violent or abusive contact with anyone as well as a prohibition from committing any further crimes.

After a cash bond was set, Buechel failed to appear in court. A warrant was issued, and his cash bond was ordered forfeited. Buechel was ultimately apprehended during a traffic stop and returned to court, at which time the circuit court imposed an additional cash bond. Buechel again failed to appear, and he was again apprehended and returned to court, where an additional cash bond was imposed.<sup>2</sup> At that time, Buechel stated that he wanted to resolve the case and that he preferred “to sit in jail for a little bit to kind of get my mind straight[.]” Buechel was informed he was not eligible for State Public Defender representation, and the court appointed a lawyer for him.

Buechel subsequently negotiated a plea agreement with the State. He would plead guilty to a single count of bail jumping without the repeater penalty enhancer, and one disorderly

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<sup>2</sup> The State subsequently withdrew its request for forfeiture of the second-imposed bond amount.

conduct count would be dismissed outright with the other one dismissed and read in. The parties would jointly recommend a sentence amounting to time served. Following a thorough colloquy, the circuit court accepted Buechel's plea and proceeded immediately to sentencing. The circuit court ordered a 108-day jail sentence. Considering Buechel's entitlement to 81 days' sentence credit and good time, that amounted to a time served disposition.

The no-merit report addresses whether Buechel could raise nonfrivolous arguments related to pre-plea motions, the sufficiency of the plea colloquy, or the exercise of the circuit court's sentencing discretion. Our review of the appellate Record satisfies us that the no-merit report sufficiently analyzes these issues and properly concludes that any challenge based upon them would lack arguable merit. Our review of the appellate Record discloses no other potentially meritorious issues for appeal.

Therefore,

IT IS ORDERED that the judgment of conviction is summarily affirmed. *See* WIS. STAT. RULE 809.21(1).

IT IS FURTHER ORDERED that Attorney Gregory Bates is relieved of further responsibility for representing Bobby R. Buechel in connection with this appeal. *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*