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**DISTRICT II**

September 6, 2023

To:

Hon. Faye M. Flancher  
Circuit Court Judge  
Electronic Notice

Amy Vanderhoef  
Clerk of Circuit Court  
Racine County Courthouse  
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Winn S. Collins  
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David J. Susens  
Electronic Notice

Jeremy H. Teloh, #412331  
Waupun Correctional Inst.  
P.O. Box 351  
Waupun, WI 53963-0351

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

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2022AP1689-CRNM      State of Wisconsin v. Jeremy H. Teloh (L.C. #2019CF160)

Before Neubauer, 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).**

Jeremy H. Teloh appeals a judgment of conviction entered upon his no contest pleas to second-degree sexual assault of a child, contrary to WIS. STAT. § 948.02(2) (2019-20)<sup>1</sup>; physical abuse of a child—intentionally causing bodily harm, contrary to WIS. STAT. § 948.03(2)(b) (2019-20); and incest by a stepparent, contrary to WIS. STAT. § 948.06(1m) (2019-20). Teloh's 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). Teloh was advised of his right to file a response but

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

has not responded. Upon consideration of the no-merit report and following an independent review of the Record as mandated by *Anders* and RULE 809.32, we conclude there is no arguable merit to any issue that could be raised on appeal. We therefore summarily affirm the judgment. *See* WIS. STAT. RULE 809.21(1).

Teloh was charged in an eighteen-count amended Information with various sexual, drug, and child-abuse offenses. The charges for which Teloh was ultimately convicted centered around his minor stepdaughter's allegations that Teloh had required her to be nude in their home and that he had physically and sexually abused her. Teloh ultimately reached a plea agreement with the State resolving this case and a related possession-of-child-pornography case, which also involved Teloh's stepdaughter. As relevant to this appeal, in exchange for Teloh's no contest pleas to the three crimes of conviction (and some of the child pornography charges in the related case), the State agreed to dismiss and read in the remaining charges and to recommend a global sentence of forty-five years' imprisonment, consisting of twenty-five years' initial confinement and twenty years' extended supervision.

Following a thorough colloquy, the circuit court accepted Teloh's no contest pleas and found him guilty of the three above-identified crimes. The court ordered a presentence investigation report (PSI). During the interview with the PSI author, Teloh claimed that the criminal complaint—which had supplied the factual basis for Teloh's pleas—was “inaccurate.” The court addressed Teloh's statement at the beginning of the sentencing hearing, at which time Teloh personally confirmed that he wanted to proceed with sentencing.

At sentencing, the State recommended the agreed-upon global forty-five year sentence. The prosecutor left to the court's discretion how to fashion that sentence but offered that one

option was to impose thirty-five-year sentences on the second-degree sexual assault and incest convictions (concurrent to one another and bifurcated as twenty years' initial confinement and fifteen years' extended supervision) and to impose consecutive (but concurrent to one another) ten-year sentences on the possession-of-child-pornography convictions (bifurcated as five years' initial confinement and five years' extended supervision). The circuit court largely adopted the State's proposed sentence structure.<sup>2</sup> It also required Teloh to register as a sex offender for life.

The no-merit report addresses whether there would be any nonfrivolous basis to challenge the validity of Teloh's pleas or the circuit court's exercise of its sentencing discretion. Relatedly, the no-merit report concludes there would be no arguably meritorious basis to pursue plea withdrawal, to challenge the sentences as unduly harsh or as violating due process, or to seek sentence modification. Our independent 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. Additionally, we perceive no other nonfrivolous issues for appeal based on this Record.

Therefore,

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

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<sup>2</sup> On the child abuse conviction, the circuit court imposed a five-year sentence consisting of three years' initial confinement and two years' extended supervision, to run concurrent with the two forty-year sentences.

IT IS FURTHER ORDERED that Attorney David J. Susens is relieved of further responsibility for representing Jeremy H. Teloh 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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*Samuel A. Christensen*  
*Clerk of Court of Appeals*