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DISTRICT I

September 12, 2023

To:

Hon. Frederick C. Rosa
Circuit Court Judge
Electronic Notice

Anna Hodges
Clerk of Circuit Court
Milwaukee County Safety Building
Electronic Notice

Nathan Michael Jurowski
Electronic Notice

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Lamont Terral Nance
3406 N. 1st Street
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You are hereby notified that the Court has entered the following opinion and order:

2023AP581-CRNM State of Wisconsin v. Lamont Terral Nance (L.C. # 2018CM2148)

Before Dugan, J.¹

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).

Lamont Nance appeals a judgment, entered upon a jury's verdict, convicting him of violating a harassment injunction. *See* WIS. STAT. § 813.125(4) (2017-18). His appellate counsel, Nathan Jurowski, has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 and *Anders v. California*, 386 U.S. 738 (1967). Nance 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

¹ 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.

independent review of the record as mandated by *Anders*, this court summarily affirms the judgment because there is no arguable merit to any issue that could be pursued on appeal. *See* WIS. STAT. RULE 809.21.

On May 14, 2018, Nance went to a funeral at a church and sat next to his daughter L.J. The complaint alleged that at that time, a harassment injunction was in place protecting L.J. The injunction specifically ordered Nance to cease or avoid harassment of L.J., to avoid any premises temporarily occupied by L.J., and to avoid contacting L.J. Witnesses told the police that they saw Nance in the church sitting next to L.J. Following the incident, the State charged Nance with one count of violating a harassment injunction.

This case was later joined for trial with Milwaukee County Case No. 2018CM1653, where Nance was charged with an additional count of violating a harassment injunction stemming from an incident that occurred approximately one month later. At the beginning of the trial, Nance entered into a stipulation acknowledging that a harassment injunction was in effect when the underlying incidents were alleged to have occurred. Nance additionally stipulated that he was the respondent in the injunction proceeding and that the petitioner was L.J.

The jury found that Nance was not guilty of the count stemming from Case No. 2018CM1653 but that he was guilty of the charge in this case. The circuit court sentenced Nance to nine months in the Milwaukee House of Correction with work release privileges. In doing so, the circuit court explained that as far as injunction violations go, this was “one of the more severe cases. Even though you think it was inadvertent you—you still had contact and apparently you triggered the child in—in a negative way[.]” In terms of protecting the public,

the circuit court highlighted that court orders are the only protection that the court system could provide to L.J. and the order “doesn’t mean anything unless it’s enforceable in court.”

The no-merit report addresses whether the jury was prejudicially biased against Nance, the sufficiency of the evidence to support the conviction, whether evidence as to motive of one of the State’s witnesses was irrelevant and moot, whether Nance was unfairly prejudiced by joinder of the two cases, and whether the circuit court demonstrated prejudicial bias against Nance during sentencing. This court is satisfied that the no-merit report properly concludes the issues it raises are meritless.

A review of the record discloses no other potential issues for appeal. Accordingly, this court accepts the no-merit report, affirms the judgment, and discharges appellate counsel of the obligation to represent Nance further in this appeal.

Upon the foregoing, therefore,

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

IT IS FURTHER ORDERED that Attorney Nathan Jurowski is relieved of further representation of Lamont Nance in this matter. *See* WIS. STAT. RULE 809.32(3).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals