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DISTRICT II

October 25, 2023

To:

Hon. Phillip A. Koss
Circuit Court Judge
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

Kristina Secord
Clerk of Circuit Court
Walworth County Courthouse
Electronic Notice

Justin S. Moronez, #334116
Green Bay Correctional Inst.
P.O. Box 19033
Green Bay, WI 54307-9033

Mark A. Schoenfeldt
Electronic Notice

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

2021AP1392-CRNM	State of Wisconsin v. Justin S. Moronez (L.C. #2019CF126)
2021AP1393-CRNM	State of Wisconsin v. Justin S. Moronez (L.C. #2019CF127)
2021AP1394-CRNM	State of Wisconsin v. Justin S. Moronez (L.C. #2019CF542)

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).

Justin S. Moronez appeals from a judgment of conviction in each of three cases. His appellate counsel filed a no-merit report as to these consolidated appeals pursuant to WIS. STAT. RULE 809.32 (2021-22)¹ and *Anders v. California*, 386 U.S. 738 (1967). Moronez was sent a copy of the report, was advised of his right to file a response, and has not done so. Upon

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

consideration of the report and an independent review of the Record, we conclude there are no issues with arguable merit for appeal. We summarily affirm. *See* WIS. STAT. RULE 809.21.

Pursuant to a plea agreement, Moronez pled guilty to one count of burglary of a building or dwelling in each of two cases. *See* WIS. STAT. § 943.10(1m)(a). In a third case, he pled guilty to one count of burglary while arming oneself with a dangerous weapon, as a party to a crime, in violation of WIS. STAT. §§ 939.05 and 943.10(2)(b). The charges stemmed from a series of residential break-ins and thefts committed by Moronez, including one incident where several firearms were stolen. Eight cases and approximately twenty charges were dismissed and read in.

For Moronez's actions, the circuit court imposed a sentence of four years of initial confinement and five years of extended supervision on each of the burglary counts, concurrent to one another. The court also imposed a sentence of six years of initial confinement and five years of extended supervision consecutive to the other sentences for the burglary while arming oneself with a dangerous weapon. This no-merit appeal follows.

The no-merit report addresses (1) whether Moronez's pleas were entered knowingly, voluntarily, and intelligently; (2) whether there was a sufficient factual basis for the findings of guilt on the three charges; (3) whether the circuit court properly exercised its discretion at sentencing; and (4) whether Moronez was denied effective assistance of trial counsel. 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.

Upon our independent review of the Record, we have found no other arguable basis for reversing the judgment of conviction. *See State v. Allen*, 2010 WI 89, ¶¶81-82, 328 Wis. 2d 1,

786 N.W.2d 124. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of *Anders* and WIS. STAT. RULE 809.32.

Upon the foregoing reasons,

IT IS ORDERED that the judgments are summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Mark A. Schoenfeldt is relieved from further representing Justin S. Moronez in these appeals. *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