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DISTRICT II

November 15, 2023

To:

Hon. Laura F. Lau
Circuit Court Judge
Electronic Notice

Monica Paz
Clerk of Circuit Court
Waukesha County Courthouse
Electronic Notice

Jennifer Vandermeuse
Electronic Notice

Pamela Moorshead
Electronic Notice

Stephen A. Hall #696340
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:

2021AP1533-CRNM State of Wisconsin v. Stephen A. Hall (L.C. #2020CF320)

Before Gundrum, P.J., Neubauer 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).

Stephen A. Hall appeals from a judgment of conviction entered after he pled guilty to trafficking of a child. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2021-22)¹ and *Anders v. California*, 386 U.S. 738 (1967). Hall was sent a copy of the report and advised of his right to file a response—he has not done so, despite having been granted two extensions of time in which to do so. Upon consideration of the report and an

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

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.

Hall was charged with four counts of child enticement, one count of child exploitation, and one count of trafficking of a child based on a sexual relationship he engaged in with a sixteen-year-old girl. Hall was twenty-six years old when the relationship began. At Hall's urging and with his help, the girl set up an account on the Meet Me cell phone application to prostitute herself for Hall's financial benefit. Pursuant to a plea agreement, Hall entered a guilty plea to the trafficking charge and the five other counts were dismissed and read in.

Based upon his plea, Hall was found guilty. He faced a maximum sentence of forty years of imprisonment and a \$100,000 fine. The circuit court sentenced him to serve three years of initial confinement and five years of extended supervision.

The no-merit report addresses in detail whether there would be arguable merit to a challenge to Hall's guilty plea. Hall submitted a signed plea questionnaire and waiver of rights with the jury instruction for trafficking of a child attached. He told the circuit court he had discussed the plea questionnaire and the attachment with his attorney, he fully understood the documents, and he was satisfied with his attorney's representation. The plea colloquy sufficiently complied with the requirements of *State v. Brown*, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906, and WIS. STAT. § 971.08 relating to the nature of the charge and maximum penalties, the rights Hall was waiving, and other matters. By his attorney, Hall acknowledged that the criminal complaint provided a factual basis for his plea. The record shows no other ground to withdraw the plea. There is no arguable merit to this issue.

The no-merit report also addresses whether the circuit court erroneously exercised its sentencing discretion. The standards for the circuit court and this court on sentencing issues 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 court considered appropriate factors, did not consider improper factors, and reached a reasonable result. There is no arguable merit to this issue.

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. Accordingly, this court accepts the no-merit report and discharges appellate counsel of the obligation to represent Hall further in this appeal.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Pamela Moorshead is relieved from further representing Stephen A. Hall in this appeal. *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