



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215
P.O. BOX 1688
MADISON, WISCONSIN 53701-1688
Telephone (608) 266-1880
TTY: (800) 947-3529
Facsimile (608) 267-0640
Web Site: www.wicourts.gov

DISTRICT I

February 13, 2024

To:

Hon. Janet C. Protasiewicz
Circuit Court Judge
Electronic Notice

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

Pamela Moorshead
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

Ladell William Harrison 679041
Fox Lake Correctional Inst.
P.O. Box 147
Fox Lake, WI 53933

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

2021AP1899-CRNM State of Wisconsin v. Ladell William Harrison
(L.C. # 2018CF2677)

Before White, C.J., Geenen and Colón, 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).

Ladell William Harrison appeals the judgment entered after he pled guilty to six felonies. His appellate counsel, Pamela Moorshead, filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2021-22) and *Anders v. California*, 386 U.S. 738 (1967).¹ Harrison was advised of his right to file a response and has elected not to do so. Upon consideration of the report and an independent review of the record, we conclude that the judgment may be summarily affirmed

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

because there is no arguable merit to any issue that could be raised on appeal. *See* WIS. STAT. RULE 809.21.

The State charged Harrison with the following twelve counts: (1) manufacture/delivery of heroin, party to a crime; (2) manufacture/delivery of cocaine, party to a crime; (3) manufacture/delivery of cocaine; (4) manufacture/delivery of heroin; (5) delivery of Schedule I or II narcotics; (6) fleeing an officer, resulting in death; (7) fleeing an officer, resulting in bodily harm or property damage; (8) knowingly operating while revoked (causing death); (9) misdemeanor bail jumping; (10) first-degree recklessly endangering safety; (11) first-degree recklessly endangering safety; and (12) attempting to flee an officer. The drug charges resulted from a series of controlled buys from December 2017 through March 2018. The remaining charges arose out of a fleeing incident in June 2018 that resulted in the death of a Milwaukee police officer.

Pursuant to a plea agreement, Harrison pled guilty to Counts 5-8, 10, and 11. The State agreed to dismiss and read in the remaining counts. The State also agreed to recommend a total sentence of twenty-five to thirty years of initial confinement but would not make a specific recommendation as to extended supervision. The negotiations left Harrison free to argue as to the length of his sentences.

The circuit court accepted Harrison's pleas and imposed sentences totaling thirty years of initial confinement and twenty years of extended supervision. This no-merit appeal follows.

The no-merit report addresses whether there would be arguable merit to a claim that Harrison's guilty pleas were not knowingly, voluntarily, and intelligently entered. *See State v. Bangert*, 131 Wis.2d 246, 260, 389 N.W.2d 12 (1986). Our review of the record and of

counsel's analysis in the no-merit report satisfies us that the circuit court complied with its obligations for taking a guilty plea, pursuant to WIS. STAT. § 971.08, *Bangert*, 131 Wis. 2d at 261-62, and *State v. Brown*, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906. There would be no arguable merit to a claim that Harrison's pleas were not knowingly, intelligently, and voluntarily entered.

The no-merit report additionally addresses whether there would be arguable merit to a claim that the circuit court erroneously exercised its sentencing discretion. *See State v. Gallion*, 2004 WI 42, ¶17, 270 Wis. 2d 535, 678 N.W.2d 197. At sentencing, a court must consider the principal objectives of sentencing, including the protection of the community, the punishment and rehabilitation of the defendant, and deterrence to others, *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76, and determine which objective or objectives are of greatest importance, *Gallion*, 270 Wis. 2d 535, ¶41. The weight to be given to each factor is committed to the circuit court's discretion. *Ziegler*, 289 Wis. 2d 594, ¶23. We will sustain a circuit court's exercise of sentencing discretion if the sentence imposed was one that a reasonable judge might impose, even if this court or another judge might have imposed a different sentence. *See State v. Odom*, 2006 WI App 145, ¶8, 294 Wis. 2d 844, 720 N.W.2d 695. Our review of the record and counsel's analysis in the no-merit report confirms that the circuit court appropriately considered relevant sentencing objectives and factors and imposed reasonable sentences. There would be no arguable merit to a challenge to the court's sentencing discretion.

Our 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 Harrison further in this appeal.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Pamela Moorshead is relieved from further representing Ladell William Harrison 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