



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 II

March 20, 2024

To:

Hon. Laura F. Lau
Circuit Court Judge
Electronic Notice

Paul Nowakowski
Register in Probate
Waukesha County Courthouse
Electronic Notice

Jonathan James Martin
Electronic Notice

Jill C. Vento
Electronic Notice

R.T.H.

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

2022AP1331-NM Waukesha County v. R.T.H. (L.C. #2021ME172)

Before Gundrum, P.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).

R.T.H. appeals an order extending his commitment under WIS. STAT. § 51.20. R.T.H.'s appointed appellate counsel has filed a no-merit report pursuant to WIS. STAT. RULE 809.32. R.T.H. was advised of his right to respond but has not made any responsive filing. Having reviewed the no-merit report, and following an independent review of the entire record as mandated by *Anders v. California*, 386 U.S. 738 (1967), we conclude there are no issues having

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(d) (2021-22). All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

arguable merit for appeal. Therefore, we summarily affirm the order. *See* WIS. STAT. § 809.21(1).

A six-month order for commitment was entered on April 27, 2021. R.T.H. was also subject to an involuntary medication order during that period of commitment. He refused to attend appointments and was taken into custody. On September 23, 2021, Waukesha County petitioned for an extension of the commitment and the circuit court appointed two examining physicians. Both doctors opined that R.T.H. was mentally ill, dangerous based on one or more of the statutory criteria, and a proper subject for treatment.

R.T.H. demanded a jury trial, which he subsequently withdrew on the final hearing date after reaching a negotiated resolution with the County. R.T.H.'s appointed counsel explained that R.T.H. had elected to accept a "12-month extension without a medications order with the treatment conditions, which would include an expectation that [he] take prescribed medications." Counsel acknowledged that "if my client were to refuse in the future to take prescribed medications, that the [County] may, and likely will, proceed to request a medications order at that time." After conferring with counsel, R.T.H. personally confirmed his understanding of the stipulation and stated that he wished to proceed. The circuit court found grounds to extend the commitment and entered the extension order.

The no-merit report concludes that any challenge to the extension-of-commitment order would lack arguable merit because the stipulation operates as both a consent to the judgment and as a waiver of R.T.H.'s right to appeal. *See Roberts Premier Design Corp. v. Adams*, 2021 WI App 52, ¶14, 399 Wis. 2d 151, 963 N.W.2d 796. We agree with counsel's analysis. Our

independent review of the appellate record does not disclose any potentially meritorious issue for appeal. This court therefore accepts the no-merit report.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Jill C. Vento is relieved of further representation of R.T.H. in this matter.

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

Samuel A. Christensen
Clerk of Court of Appeals