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DISTRICT II

October 1, 2025

To:

Hon. J. Arthur Melvin, III
Circuit Court Judge
Electronic Notice

John W. Kellis
Electronic Notice

Monica Paz
Clerk of Circuit Court
Waukesha County Courthouse
Electronic Notice

Lisa R. Hottenstein Meier #332192
Robert Ellsworth Correctional Center
21425-A Spring St.
Union Grove, WI 53182-9408

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

2024AP2030-CR

State of Wisconsin v. Lisa R. Hottenstein Meier
(L.C. #2016CF1047)

Before Neubauer, P.J., Gundrum, and Grogan, 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).

Lisa R. Hottenstein Meier appeals from an order of the circuit court. She argues that the court erred in denying her motion for sentence adjustment. Based upon our review of the briefs and record, we conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2023-24).¹ For the following reasons, we dismiss the appeal as moot.

Meier was convicted following a jury trial of operating while under the influence, seventh offense, contrary to WIS. STAT. § 346.63(1)(a), and felony bail jumping, contrary to WIS. STAT.

¹ All references to the Wisconsin Statutes are to the 2023-24 version.

§ 946.49(1)(b). Before she finished serving the initial confinement portion of her sentence, Meier filed a petition for sentence adjustment under WIS. STAT. § 973.195. The circuit court denied the motion based on its conclusion that an adjustment was not in the public interest and because the State had objected to her request. Meier asserts on appeal that the court's determination that sentence adjustment was not in the public interest was erroneous because her conduct and rehabilitation in prison, as well as her participation in programming, warranted sentence adjustment.

In its response brief, the State asserts Meier's appeal is moot because, according to the Department of Corrections' records, Meier's release date on the confinement portion of her prison sentence was in April 2025. *See* WISCONSIN DEPARTMENT OF CORRECTIONS OFFENDER LOCATOR, <https://appsdoc.wi.gov/lop/home/home> (search by offender name; then click "Status" tab) (last visited September 19, 2025). Meier failed to file a reply brief refuting the State's assertion, and we deem this failure to be a concession. *See Charolais Breeding Ranches, Ltd. v. FPC Sec. Corp.*, 90 Wis. 2d 97, 109, 279 N.W.2d 493 (Ct. App. 1979) (unrefuted arguments may be deemed conceded).

As the State points out in its response brief, "[a]n issue is moot when its resolution will have no practical effect on the underlying controversy." *State v. Fitzgerald*, 2019 WI 69, ¶21, 387 Wis. 2d 384, 929 N.W.2d 165 (citation omitted). Through a petition for sentence adjustment under WIS. STAT. § 973.195, an inmate seeks early release from the confinement portion of his or her sentence, with the remaining time of that confinement portion then converted to extended supervision time. *See* § 973.195(1r)(g). In this case, because Meier has already concluded the confinement portion of her sentence and is on extended supervision, she cannot obtain the early-release-from-confinement relief she was seeking with her petition for sentence adjustment.

As a result, we conclude that this appeal is moot and dismiss it. *See Portage County v. J.W.K.*, 2019 WI 54, ¶31, 386 Wis. 2d 672, 927 N.W.2d 509.

Therefore,

IT IS ORDERED that the appeal is summarily dismissed as moot pursuant to WIS. STAT. RULE 809.21.

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

Samuel A. Christensen
Clerk of Court of Appeals