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DISTRICT I

November 11, 2025

To:

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Circuit Court Judge
Electronic Notice

Anna Hodges
Clerk of Circuit Court
Milwaukee County Safety Building
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Marquise Lamar Jackson 720551
Jackson Correctional Inst.
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You are hereby notified that the Court has entered the following opinion and order:

2024AP1695-CRNM State of Wisconsin v. Marquise Lamar Jackson
(L.C. # 2022CF1929)

Before White, C.J., Colón, P.J., and Donald, J.

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).

Marquise Lamar Jackson appeals his judgment of conviction for offenses relating to a shooting that occurred in downtown Milwaukee. His appellate counsel, Attorney George M. Tauscheck, filed a no-merit report pursuant to ***Anders v. California***, 386 U.S. 738 (1967) and WIS. STAT. RULE 809.32 (2023-24).[1] Jackson was advised of his right to file a response; he filed a letter after the filing deadline for his response, which this court accepted for filing. Upon this court's independent review of the record as mandated by ***Anders***, counsel's report, and Jackson's

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

letter, we conclude there are no issues of arguable merit that could be pursued on appeal. We therefore summarily affirm.

Jackson, along with three co-actors, were charged in a shooting incident that occurred in May 2022 during a Milwaukee Bucks playoff game. The game had drawn thousands of people to the area. Jackson and his co-actors exchanged gunfire with another group with whom they had a "long[-]standing dispute." An AR-style firearm with an extended magazine was recovered from the scene and linked to Jackson; eleven rounds from that gun were recovered in the vicinity of the shooting. Sixteen people were injured in the shooting, and a bullet recovered from one of the most seriously injured victims was from Jackson's gun.

Jackson was charged with one count of conspiracy to commit aggravated battery using a dangerous weapon and 15 counts of first-degree reckless injury using a dangerous weapon, as a party to a crime. He opted to resolve these charges with a plea, pleading guilty to the conspiracy count and seven reckless injury counts, with the other eight reckless injury counts dismissed and read in at sentencing. The circuit court imposed a global sentence of 22 years of initial confinement followed by 15 years of extended supervision. Restitution of over $319,000 was also ordered for the victims, with Jackson and his co-actors jointly and severally liable for payment. This no-merit appeal follows.

In the no-merit report, appellate counsel addresses two issues: whether there would be arguable merit to appealing the validity of Jackson's pleas; and whether there would be arguable merit to a claim that the circuit court erroneously exercised its discretion in sentencing Jackson. We agree with appellate counsel's analysis that there would be no arguable merit to an appeal of either of these issues.

A plea is not constitutionally valid if it is not knowingly, voluntarily, and intelligently entered. ***State v. Bangert***, 131 Wis. 2d 246, 257, 389 N.W.2d 12 (1986). This may be established if the requirements set forth in WIS. STAT. § 971.08 and ***Bangert*** are not met during the plea colloquy by the circuit court. ***State v. Brown***, 2006 WI 100, ¶¶23, 34-35, 293 Wis. 2d 594, 716 N.W.2d 906.

The record here reflects that the plea colloquy by the circuit court complied with these requirements. Furthermore, the circuit court confirmed that Jackson signed and understood the plea questionnaire and waiver of rights form, which further demonstrates that Jackson's pleas were knowingly, voluntarily, and intelligently entered. *See* ***State v. Moederndorfer***, 141 Wis. 2d 823, 827, 416 N.W.2d 627 (Ct. App. 1987). We therefore agree with appellate counsel's assessment that there would be no arguable merit to a challenge of the validity of Jackson's pleas.

With regard to sentencing, the record reflects that the circuit court properly exercised its discretion in considering proper and relevant sentencing objectives and factors. *See* ***State v. Gallion***, 2004 WI 42, ¶17, 270 Wis. 2d 535, 678 N.W.2d 197; ***State v. Ziegler***, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76. In its analysis, the court considered Jackson's lack of criminal record and his cooperation with the State against his co-actors, but weighed more heavily the "incredibly serious" nature of the crime given that it involved "fir[ing] a gun towards innocent people with no regard at all as to whether you kill them, injure them, or not."

Furthermore, Jackson's sentences were well within the statutory maximums, and are therefore presumed not to be unduly harsh or unconscionable. *See* ***State v. Grindemann***, 2002 WI App 106, ¶32, 255 Wis. 2d 632, 648 N.W.2d 507. Additionally, the record reflects that the

circuit court properly considered the factors of WIS. STAT. § 973.20(13)(a) with regard to ordering restitution. Therefore, we agree with appellate counsel's conclusion that there would be no arguable merit to a challenge of Jackson's sentences.

Nevertheless, in his letter submitted to this court, Jackson raises an issue regarding his sentences. Specifically, he asserts that his trial counsel told him that he would "do no more than four years in" for his term of initial confinement.

The record reflects that under the plea agreement, the State would recommend a substantial prison term while Jackson was free to argue with regard to his sentence. Indeed, at the sentencing hearing, counsel argued for an initial confinement term of four to six years. However, the circuit court explained during the plea colloquy that it was not obligated to follow the sentence recommendations from either party, but rather would make its own determination regarding an appropriate sentence; Jackson responded that he understood. Furthermore, the same information regarding sentencing—that the State was recommending substantial prison time, the defense was free to argue, and the circuit court was not bound by either sentencing recommendation—was set forth in the plea questionnaire signed by Jackson, and Jackson confirmed with the court that he went over the information contained in the questionnaire with his trial counsel.

In short, the record does not support Jackson's assertion suggesting he was unaware the circuit court would exercise its discretion in imposing his sentences. *See* ***Brown***, 293 Wis. 2d 594, ¶35; ***Moederndorfer***, 141 Wis. 2d at 827-28; ***Gallion***, 270 Wis. 2d 535, ¶¶17-18. We therefore conclude that there is no arguable merit to this issue.

Our independent review of the record discloses no other potential issues for appeal. Accordingly, this court accepts the no-merit report, affirms the conviction, and discharges appellate counsel of the obligation to represent Jackson further in this appeal.

Therefore,

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

IT IS FURTHER ORDERED that Attorney George M. Tauscheck is relieved of further representation of Jackson in this matter. *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