

DISTRICT III

November 18, 2025

To:

Hon. J. Michael Bitney
Circuit Court Judge
Electronic Notice

Sharon Millermon
Clerk of Circuit Court
Barron County Justice Center
Electronic Notice

John Blimling
Electronic Notice

Michael J. Herbert
Electronic Notice

Alexander J. Fedie 596903
New Lisbon Correctional Inst.
P.O. Box 2000
New Lisbon, WI 53950-2000

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

2024AP130-CRNM State of Wisconsin v. Alexander J. Fedie
(L. C. No. 2022CF40)

Before Stark, P.J., Hruz, and Gill, 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).

Counsel for Alexander Fedie filed a no-merit report concluding that no grounds exist to challenge Fedie's convictions for aggravated battery with the intent to cause bodily harm, strangulation and suffocation, and possession of methamphetamine, with the first two counts as acts of domestic abuse and all three counts as a repeater. Fedie was informed of his right to file a response to the no-merit report, and he has not responded. Upon an independent review of the record as mandated by *Anders v. California*, 386 U.S. 738 (1967), this court concludes that there is no arguable merit to any issue that could be raised on appeal. Therefore, the judgment of conviction is summarily affirmed. See WIS. STAT. RULE 809.21 (2023-24).¹

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

The charges in this case arose from allegations that Fedie strangled and repeatedly hit and bit his girlfriend, Diane,² before he fled the motel room they had been sharing for a year. Law enforcement officers were dispatched to the motel, and found Diane lying on the floor with red marks around her neck, bite marks on her left upper arm and right breast, and bruising along the left side of her body. Diane was transported by ambulance to a nearby hospital and then airlifted to a second hospital. As a result of the assault, Diane had “significant and active bleeding in her abdomen near her spleen and colon,” necessitating surgery. During an interview at the hospital, Diane reported to law enforcement that Fedie was under the influence of methamphetamine at the time of the assault. After disclosing that Fedie kept methamphetamine in their motel room, Diane gave the officers consent to search the room. During a subsequent search of the room, law enforcement located a small gem bag with a crystalline substance that tested positive for the presence of methamphetamine. The complaint further alleged that Fedie had past felony convictions for strangulation and suffocation, attempting to flee or elude an officer, and possession of methamphetamine.

Fedie was convicted upon a jury’s verdicts of the crimes charged. Out of a maximum possible sentence of 21.5 years, the circuit court imposed consecutive sentences resulting in an aggregate 17-year term, consisting of 11 years of initial confinement followed by 6 years of extended supervision.

The no-merit report addresses whether there was sufficient credible evidence to support the jury’s verdicts. Upon reviewing the record, we agree with counsel’s analysis and conclusion

² Pursuant to the policy underlying WIS. STAT. RULE 809.86(4), we use a pseudonym instead of the victim’s name.

that there is no arguable merit to challenge the sufficiency of the evidence at trial. The no-merit report sets forth an adequate discussion of this potential issue to support the no-merit conclusion, and we need not address it further.

Although the no-merit report does not discuss it, the record discloses no arguable basis for challenging the sentences imposed. Before imposing sentences authorized by law, the circuit court considered the seriousness of the offenses; Fedie's character, including his criminal history; the need to protect the public; and the mitigating factors Fedie raised. See *State v. Gallion*, 2004 WI 42, ¶¶39-46, 270 Wis. 2d 535, 678 N.W.2d 197. The court placed particular emphasis on the severity of the assault, Fedie's attempts to pressure Diane to recant; and the need to protect the public in light of Fedie's refusal to take responsibility for his actions. There is a presumption that Fedie's sentences, which are within the maximum allowed by law, are not unduly harsh or unconscionable nor "so excessive and unusual" as to shock public sentiment. See *State v. Grindemann*, 2002 WI App 106, ¶31, 255 Wis. 2d 632, 648 N.W.2d 507; see also *Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975). Further, there is no arguable merit to any claim that the conditions of extended supervision were not "reasonable and appropriate" under the circumstances of this case. See *State v. Koenig*, 2003 WI App 12, ¶7, 259 Wis. 2d 833, 656 N.W.2d 499 (2002).

Our independent review of the record discloses no other potential issues for appeal.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Michael J. Herbert is relieved of his obligation to further represent Alexander Fedie 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