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DISTRICT III

December 16, 2025

To:

Hon. Rian W. Radtke
Circuit Court Judge
Electronic Notice

Mary E. Lee
Clerk of Circuit Court
Trempealeau County Courthouse
Electronic Notice

John Blimling
Electronic Notice

Colleen Marion
Electronic Notice

Casey Jay Shelmidine
916 25th South Street
La Crosse, WI 54601

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

2023AP2263-CRNM State of Wisconsin v. Casey Jay Shelmidine
(L.C. No. 2021CF116)

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).

Casey Shelmidine appeals from a judgment convicting him, upon his no-contest plea, of failing to register as a sex offender. Attorney Colleen Marion has filed a no-merit report seeking to withdraw as Shelmidine's appellate counsel. *See* WIS. STAT. RULE 809.32 (2023-24).¹ The no-merit report addresses the revocation of a deferred entry of judgment agreement and the validity of Shelmidine's pleas and sentences. Shelmidine was informed of his right to respond to the no-merit report, but he has not filed a response. Having independently reviewed the entire

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

record as mandated by *Anders v. California*, 386 U.S. 738, 744 (1967), we conclude that there are no arguably meritorious issues for appeal.

The complaint alleged that Shelmidine had violated the terms of Wisconsin's Sex Offender Registration Program (SORP) by failing to report a change of address. The parties entered into a diversion agreement in which Shelmidine agreed to enter a no-contest plea to the charge, but the circuit court would not enter the judgment for twelve months. The State would move to dismiss the charge if Shelmidine complied with a series of conditions, including all SORP requirements, refraining from committing any new crimes, notifying the diversion agreement coordinator of any arrests or police contacts, and paying a \$10 monthly service fee. If the State alleged that Shelmidine violated the agreement, Shelmidine would be entitled to a revocation hearing at which the State would be required to prove the violation(s) by a preponderance of the evidence.

The circuit court approved the diversion agreement and accepted Shelmidine's plea after conducting a plea colloquy, reviewing Shelmidine's signed plea questionnaire, and ascertaining that there was a factual basis to support the plea. Eleven months later, the State moved to revoke the diversion agreement because Shelmidine had been charged with possession of methamphetamine in one case and with strangulation and suffocation, felony bail jumping, and battery in a second case; had not timely notified the diversion agreement coordinator of the arrests; and had failed to pay several of the monthly service fees.

At the revocation hearing, Shelmidine conceded the arrests, his failure to timely disclose the arrests, and his failure to pay all of the monthly service fees. The circuit court concluded that

the violations were significant enough to warrant revocation, and it proceeded to enter judgment on the previously accepted plea.

The circuit court subsequently held a sentencing hearing on the conviction for failing to register as a sex offender. After hearing from the parties, the court discussed factors related to the severity of the offense and Shelmidine's character, and it explained how those factors related to the court's sentencing goals of protecting the community, punishing and rehabilitating Shelmidine, and deterring others. The court then withheld sentence and placed Shelmidine on probation for a period of three years, with twelve months of conditional jail time. The court issued an amended judgment, awarding 79 days of sentence credit which counted against the twelve months of jail, based upon a stipulation from the parties.

Upon reviewing the record, we agree with counsel's conclusion that Shelmidine has no arguably meritorious basis to challenge his plea, the revocation of his diversion agreement, or his sentence. The circuit court conducted an adequate plea colloquy, and Shelmidine does not assert that he misunderstood the charge or his rights. The revocation was based upon conceded grounds. The sentences imposed were within the maximum available penalties and were not unduly harsh, given the circumstances of the case.

Our independent review of the record discloses no other potential issues for appeal. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of *Anders*. Accordingly, counsel shall be allowed to withdraw, and the judgment of conviction will be summarily affirmed. *See* WIS. STAT. RULE 809.21.

Upon the foregoing,

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

IT IS FURTHER ORDERED that Attorney Colleen Marion is relieved of any further representation of Casey Shelmidine in this matter pursuant to 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