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**DISTRICT II**

March 11, 2026

To:

Hon. Bridget Schoenborn  
Circuit Court Judge  
Electronic Notice

Monica Paz  
Clerk of Circuit Court  
Waukesha County Courthouse  
Electronic Notice

John Blimling  
Electronic Notice

Brian Patrick Mullins  
Electronic Notice

Andrew Nesheim  
Electronic Notice

Gustavo Valdez Jr.  
5812 W. Mitchell St., #8  
West Allis, WI 53214

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

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2025AP1587-CRNM	State of Wisconsin v. Gustavo Valdez, Jr. (L.C. #2022CF1436)
2025AP1588-CRNM	State of Wisconsin v. Gustavo Valdez, Jr. (L.C. #2022CM1659)

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).**

Attorney Brian Patrick Mullins, appointed counsel for Gustavo Valdez, Jr., filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2023-24)<sup>1</sup> and *Anders v. California*, 386 U.S. 738 (1967) in these consolidated appeals. Counsel provided Valdez with a copy of the report, and both counsel and this court advised him of his right to file a response. Valdez has not responded. We conclude that this case is appropriate for summary disposition. See WIS. STAT.

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<sup>1</sup> All references to the Wisconsin Statutes are to the 2023-24 version.

RULE 809.21. After our independent review of the record, we conclude there is no arguable merit to any issue that could be raised on appeal. We summarily affirm.

Pursuant to an agreement with the State, Valdez pled guilty to one count of fleeing and eluding and one count of criminal damage to property. One count of possession of cocaine was dismissed and read in. The court imposed a sentence of one year of initial confinement and one and one-half years of extended supervision for fleeing and eluding and gave Valdez three days of sentence credit. It also withheld sentence and imposed twelve months of probation for the criminal damage to property conviction. The court ordered the probation to run consecutive to the extended supervision term imposed for the fleeing and eluding. As a condition of probation, Valdez was ordered to pay \$1,600.44 in restitution for the property damage he admitted to having caused. Upon successfully completing the terms of extended supervision and probation, the court ordered that Valdez's convictions be expunged.

As the no-merit report observes, the plea colloquy sufficiently complied with the requirements of *State v. Brown*, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906, and WIS. STAT. § 971.08 relating to the nature of the charge, the rights Valdez was waiving, and other necessary matters, including providing the proper immigration warning and other potential consequences of the plea. The record shows no other ground to withdraw the plea. There is no arguable merit to this issue.

The no-merit report next addresses whether the court erroneously exercised its sentencing discretion. The standards for the circuit court and this court on sentencing issues are well-established and need not be repeated here. See *State v. Gallion*, 2004 WI 42, ¶¶17-51, 270 Wis. 2d 535, 678 N.W.2d 197. In this case, the court considered appropriate factors, did not

consider improper factors, and reached a reasonable result. Under the circumstances, it also cannot reasonably be argued that Valdez's sentence is so excessive as to shock public sentiment. *See Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975). There is no arguable merit to a challenge to the sentence imposed.

Upon our independent review of the record, we have found no other arguable basis for reversing the judgment of conviction. *See State v. Allen*, 2010 WI 89, ¶¶81-82, 328 Wis. 2d 1, 786 N.W.2d 124. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of *Anders* and WIS. STAT. RULE 809.32.

Accordingly,

IT IS ORDERED that the judgments of the circuit court are summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Brian Patrick Mullins is relieved of further representation of Gustavo Valdez, Jr. in this matter. *See* WIS. STAT. RULE 809.32(3).

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

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*Samuel A. Christensen*  
*Clerk of Court of Appeals*