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DISTRICT IV

March 12, 2026

To:

Hon. Daniel G. Wood
Circuit Court Judge
Electronic Notice

Alecia Kast
Clerk of Circuit Court
Juneau County Justice Center
Electronic Notice

John Blimling
Electronic Notice

Angela Dawn Chodak
Electronic Notice

Todd M. Sanborn, Jr. 688092
Jackson Correctional Inst.
P.O. Box 233
Black River Falls, WI 54615-0233

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

2024AP1500-CRNM State of Wisconsin v. Todd M. Sanborn, Jr. (L.C. # 2021CF24)

Before Kloppenburg, Nashold, and Taylor, 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).

Todd Sanborn, Jr., appeals a judgment of conviction for second-degree sexual assault of a child under sixteen years old, as a repeater. Attorney Angela Chodak has filed a no-merit report seeking to withdraw as appellate counsel. *See* WIS. STAT. RULE 809.32 (2023-24).[1] Sanborn was provided a copy of the report, but has not filed a response. Having reviewed the no-merit report, as well as having independently reviewed the entire record as mandated by ***Anders v.***

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

California, 386 U.S. 738, 744 (1967), we agree that there are no issues of arguable merit to pursue. We summarily affirm the judgment of conviction. *See* WIS. STAT. RULE 809.21.

The State charged Sanborn with the following crimes: first-degree sexual assault, causing pregnancy; second-degree sexual assault of a child under sixteen years old; two counts of felony bail jumping; possession of methamphetamine; possession of THC (tetrahydrocannabinols); and possession of drug paraphernalia, all as a repeater. The State indicated in the charging documents that it would seek lifetime sex offender registration upon conviction. The charges stemmed from a report that Sanborn had sexual intercourse with a thirteen-year-old girl, resulting in pregnancy, and evidence collected during a subsequent search of his residence. Pursuant to a plea agreement, Sanborn pled no contest to the charge of second-degree sexual assault of a child under sixteen years old, as a repeater and with lifetime sex offender registration. The remaining charges were dismissed and read in for sentencing purposes and the charges in a separate case were dismissed outright. Additionally, the State agreed to limit its sentencing recommendation to ten years of initial confinement. The court sentenced Sanborn to seven and a half years of initial confinement and ten years of extended supervision, with lifetime sex offender registration. The court awarded 100 days of sentence credit, on counsel's stipulation.

The no-merit report addresses whether there would be arguable merit to a challenge to the validity of Sanborn's plea. We agree with counsel's assessment that a challenge to the plea would be wholly frivolous. A post-sentencing motion for plea withdrawal must establish that plea withdrawal is necessary to correct a manifest injustice, such as a plea that was not knowing, intelligent, and voluntary. ***State v. Brown***, 2006 WI 100, ¶18, 293 Wis. 2d 594, 716 N.W.2d 906. Here, the circuit court conducted a plea colloquy that, together with the plea questionnaire that Sanborn signed, satisfied the court's mandatory duties to personally address Sanborn and

determine information such as Sanborn's understanding of the nature of the charge and the range of punishments he faced, the constitutional rights he waived by entering a plea, and the direct consequences of the plea. *See* ***State v. Hoppe***, 2009 WI 41, ¶¶18, 30, 317 Wis. 2d 161, 765 N.W.2d 794. There is no indication of any other basis for plea withdrawal. A valid guilty plea constitutes a waiver of all nonjurisdictional defects and defenses. ***State v. Kelty***, 2006 WI 101, ¶18, 294 Wis. 2d 62, 716 N.W.2d 886.

The no-merit report also addresses whether there would be arguable merit to a challenge to the sentence imposed by the circuit court. Our review of a sentence determination begins "with the presumption that the [circuit] court acted reasonably, and the defendant must show some unreasonable or unjustifiable basis in the record for the sentence complained of." ***State v. Krueger***, 119 Wis. 2d 327, 336, 351 N.W.2d 738 (Ct. App. 1984). Here, the record establishes that Sanborn was afforded the opportunity to address the court prior to sentencing. The court explained that it considered facts pertinent to the standard sentencing factors and objectives, including the seriousness of the offense, Sanborn's rehabilitative needs, and the need to protect the public. *See* ***State v. Gallion***, 2004 WI 42, ¶¶39-46 & n.11, 270 Wis. 2d 535, 678 N.W.2d 197. The sentence was within the maximum Sanborn faced and, given the facts of this case, there would be no arguable merit to a claim that the sentence was unduly harsh or excessive. *See* ***State v. Stenzel***, 2004 WI App 181, ¶21, 276 Wis. 2d 224, 688 N.W.2d 20 (a sentence is unduly harsh or excessive "'only where the sentence is so excessive and unusual and so disproportionate to the offense committed as to shock public sentiment and violate the judgment of reasonable people concerning what is right and proper under the circumstances'" (quoted source omitted)). We discern no nonfrivolous basis to challenge the sentence imposed by the court.

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***.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Angela Chodak is relieved of any further representation of Todd Sanborn, Jr., 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