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DISTRICT II

March 18, 2026

To:

Hon. Samantha R. Bastil
Circuit Court Judge
Electronic Notice

Jacob J. Wittwer
Electronic Notice

Chris Koenig
Clerk of Circuit Court
Sheboygan County Courthouse
Electronic Notice

Travis J. Gandy
Electronic Notice

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

2023AP2396-CR	State of Wisconsin v. Travis J. Gandy (L.C. #2010CF547)
2023AP2397-CR	State of Wisconsin v. Travis J. Gandy (L.C. #2010CF340)
2023AP2398-CR	State of Wisconsin v. Travis J. Gandy (L.C. #2010CF332)

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).

Travis J. Gandy, pro se, appeals orders denying his motion for modification of the conditions of his extended supervision. Gandy argues that, despite his multiple convictions across three different court cases, he was not convicted “on 2 or more separate occasions” such that he was subject to the Special Bulletin Notification (SBN) statute and, consequently, to lifetime global positioning system (GPS) monitoring. Based upon our review of the briefs and record, we conclude at conference that this case is appropriate for summary disposition. *See*

WIS. STAT. RULE 809.21(1) (2023-24).¹ We disagree with Gandy's arguments and affirm the orders denying modification of the conditions of extended supervision.

In 2010, Gandy was charged with a litany of felonies across three Sheboygan County Circuit Court cases. The three cases were consolidated for plea and sentencing purposes. In Case No. 2010CF332, Gandy pled no contest to exposing a child to harmful material, with an offense date of June 6, 2010. In Case No. 2010CF340, Gandy pled no contest to sexual assault of a child by a person who works or volunteers with children, with an offense date of May 30, 2010. And in Case No. 2010CF547, Gandy pled no contest to an additional two offenses that occurred on May 30, 2010: one count of possession of child pornography and one count of child exploitation. The remaining charges were dismissed and read in.

Gandy was ordered to serve concurrent sentences that, globally, amounted to five years' initial confinement and fifteen years' extended supervision. He was also ordered to comply with the sex offender registry. It is undisputed that the Department of Corrections (DOC) subsequently determined that Gandy is a lifetime registrant under the sex offender registry.

It is also undisputed that shortly before Gandy's release from his period of initial confinement, the DOC issued a SBN to local law enforcement. *See* WIS. STAT. § 301.46(2m)(am)1. As relevant here, the statute in effect at the time required the DOC to notify law enforcement of the release of any person who has, "on 2 or more separate occasions, been

¹ All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

convicted ... for a sex offense.”² *Id.* Based on the SBN, the DOC also determined Gandy was subject to lifetime GPS monitoring under WIS. STAT. § 301.48(2)(a)7.

Following our supreme court’s 2023 decision in *State v. Rector*, 2023 WI 41, 407 Wis. 2d 321, 990 N.W.2d 213, Gandy petitioned for modification of the conditions of his extended supervision. Gandy argued that under *Rector*, he had not been convicted of sex offenses on two or more separate occasions, as his convictions were obtained as part of one plea and sentencing proceeding via a global plea agreement. Gandy therefore argued he was not properly the subject of a SBN and, consequently, he could not be placed on lifetime GPS monitoring. The circuit court determined *Rector* was distinguishable, and it denied Gandy’s motion. Gandy now appeals.

Whether Gandy is subject to the SBN statute, WIS. STAT. § 301.46(2m)(am)1., and lifetime GPS monitoring involves the interpretation and application of the relevant statutes to undisputed facts, which are matters of law that this court determines independently. *State v. Cooper*, 2016 WI App 63, ¶6, 371 Wis. 2d 539, 885 N.W.2d 390.

On appeal, Gandy renews his argument that he has not been convicted of a sex offense on two or more separate occasions for purposes of the SBN statute. He relies on *Rector*, which held that, in the context of the sex offender registration statute, WIS. STAT. § 301.45(5)(b)1., the phrase “separate occasions” does not include “convictions based on charges filed in a single case and occurring during the same hearing.” *Rector*, 407 Wis. 2d 321, ¶11. The Wisconsin Supreme Court left for another day the question of whether convictions that meet only one of those two

² The parties do not dispute that Gandy’s convictions qualified as sex offenses.

conditions have occurred on “separate occasions.” *Id.*, ¶19 n.5. Gandy argues *Rector* controls here because “[a]ll his convictions resulted from a single plea agreement, a single plea hearing, and a single sentencing; and all after the court formally consolidated all cases for disposition.”

The circuit court rejected Gandy’s reliance on *Rector*, holding that Gandy’s cases “aren’t united by both temporal proximity or the same case filing.” We agree. Even assuming the *Rector* court’s interpretation of the registry statute also controls the meaning of the SBN statute, Gandy’s convictions resulted from charges in three different case files. *Rector* explicitly declined to extend its holding to defendants who, as here, were charged in different cases. *Id.*

And we decline to extend *Rector* on our own accord. Gandy’s cases were charged separately and were assigned to three different branches. They were joined for plea and sentencing purposes. It makes little sense to conclude that Gandy was convicted of a sex offense on only a single occasion when his crimes occurred on different dates, were charged in separate cases, and were consolidated only for judicial economy reasons.

The State argues that Gandy’s challenge is moot because the legislature recently amended the registry and SBN statutes to overturn *Rector*. Because we conclude Gandy was properly subject to the SBN and lifetime GPS monitoring under the then-existing statutes, we need not consider whether legislative changes retroactively apply to Gandy.³

³ Gandy’s motion to take judicial notice on that issue is also denied as moot. His entitlement to a free transcript of the November 3, 2023 hearing, which is also part of the briefing in this appeal, was addressed as part of the decision in consolidated Appeal Nos. 2024AP808-CR, 2024AP809-CR, and 2024AP810-CR.

Based on the foregoing,

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

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

Samuel A. Christensen
Clerk of Court of Appeals