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DISTRICT III

May 12, 2026

To:

Hon. Scott R. Needham
Circuit Court Judge
Electronic Notice

Sonya Bice
Electronic Notice

Kristi Severson
Clerk of Circuit Court
St Croix County Courthouse
Electronic Notice

Dominique Marie Wegleitner
860 Jessie Street
Saint Paul, MN 55130

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

2024AP1848-CR State of Wisconsin v. Dominique Marie Wegleitner
(L. C. No. 2022CF338)

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).

Dominique Marie Wegleitner, pro se, appeals from a judgment of conviction for one count of unauthorized use of an individual's personal identifying information or documents, as a repeater. Wegleitner also appeals from an order denying her motion for postconviction relief. 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 (2023-24).¹ For the reasons that follow, we summarily affirm.

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

The State charged Wegleitner with seven counts, each as a repeater, based on allegations that Wegleitner used a false name to obtain a day pass to a gym; stole car keys from the gym's locker room; used those keys to enter and take a vehicle without the owner's consent; and then made fraudulent transactions using credit cards that she stole from the vehicle. Pursuant to a plea agreement, Wegleitner, who was then represented by counsel, entered a guilty plea to a single charge of unauthorized use of an individual's personal identifying information or documents, as a repeater. The circuit court subsequently sentenced Wegleitner to two years' initial confinement followed by three years' extended supervision, consecutive to sentences that Wegleitner was then serving in Minnesota.

After the circuit court permitted Wegleitner's appointed postconviction attorney to withdraw, Wegleitner filed a pro se postconviction motion for plea withdrawal. The court denied the postconviction motion without a hearing, and this appeal follows.

On appeal, Wegleitner has abandoned the arguments for plea withdrawal that she raised in her postconviction motion. *See A.O. Smith Corp. v. Allstate Ins. Cos.*, 222 Wis. 2d 475, 491, 588 N.W.2d 285 (Ct. App. 1998) (explaining that an issue raised in the circuit court, but not raised on appeal, is deemed abandoned). Instead, Wegleitner now argues that: (1) she is entitled to resentencing because the circuit court relied on inaccurate information when imposing her sentence; (2) the evidence presented at her preliminary hearing was insufficient to establish probable cause for bindover; and (3) the evidence was insufficient to support her conviction.

As the State correctly notes, and as Wegleitner concedes in her reply brief, the guilty plea waiver rule bars Wegleitner's arguments regarding the sufficiency of the evidence. Subject to an exception for certain double jeopardy claims, which is not applicable here, a valid guilty plea

forfeits the right to raise all other nonjurisdictional defects and defenses. *See State v. Kelty*, 2006 WI 101, ¶¶18 & n.11, 34, 294 Wis. 2d 62, 716 N.W.2d 886; *see also State v. Lasky*, 2002 WI App 126, ¶11, 254 Wis. 2d 789, 646 N.W.2d 53. As noted, Wegleitner has abandoned the claims for plea withdrawal that she raised in her postconviction motion, and she does not argue on appeal that her guilty plea was invalid for any reason. By entering a valid guilty plea, Wegleitner forfeited her right to challenge the sufficiency of the evidence with respect to both bindover and her ultimate conviction.

We also agree with the State that Wegleitner forfeited her claim for resentencing based on inaccurate information by failing to raise that claim in the circuit court. “Arguments raised for the first time on appeal are generally deemed forfeited,” *Tatera v. FMC Corp.*, 2010 WI 90, ¶19 n.16, 328 Wis. 2d 320, 786 N.W.2d 810, and this court need not address such arguments, *State v. Van Camp*, 213 Wis. 2d 131, 144, 569 N.W.2d 577 (1997). “The purpose of the ‘forfeiture’ rule is to enable the circuit court to avoid or correct any error with minimal disruption of the judicial process, eliminating the need for appeal.” *State v. Ndina*, 2009 WI 21, ¶30, 315 Wis. 2d 653, 761 N.W.2d 612. “We will not ... blindsides [circuit] courts with reversals based on theories which did not originate in their forum.” *State v. Rogers*, 196 Wis. 2d 817, 827, 539 N.W.2d 897 (Ct. App. 1995). Moreover, in a criminal appeal under WIS. STAT. RULE 809.30, a defendant is required to “file a motion for postconviction or postdisposition relief before a notice of appeal is filed unless the grounds for seeking relief are sufficiency of the evidence or issues previously raised.” RULE 809.30(2)(h).

Wegleitner did not raise any argument concerning inaccurate information during her sentencing hearing, nor did she argue in her postconviction motion that she was entitled to resentencing because the circuit court had relied on inaccurate information when imposing her

sentence. Under these circumstances, Wegleitner has forfeited her right to raise a claim for resentencing based on inaccurate information on appeal.

In her reply brief, Wegleitner asserts that she *did* raise her resentencing claim in the circuit court in a December 2, 2024 motion for relief pending appeal, which the circuit court denied on December 11, 2024. Notably, however, that motion was filed *after* the court had denied Wegleitner's postconviction motion for plea withdrawal. Wegleitner cites no legal authority in support of the proposition that a defendant in a criminal case may preserve an issue for appeal by raising it for the first time in a motion filed *after* the circuit court has denied the defendant's WIS. STAT. RULE 809.30 motion for postconviction relief. We need not consider arguments that are unsupported by references to legal authority. *State v. Pettit*, 171 Wis. 2d 627, 646, 492 N.W.2d 633 (Ct. App. 1992).

Therefore,

IT IS ORDERED that the judgment and order are summarily affirmed. 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