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DISTRICT I

July 21, 2026

To:

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Circuit Court Judge
Electronic Notice

John Blimling
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Anna Hodges
Clerk of Circuit Court
Milwaukee County Safety Building
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Timothy C. Drewa
Electronic Notice

Eugene G. Scull 717446
Stanley Correctional Institution
100 Corrections Dr.
Stanley, WI 54768

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

2024AP855-CRNM State of Wisconsin v. Eugene G. Scull (L.C. # 2020CF51)

Before Donald, C.J., Colón, P.J., and Petrashek, J.

Eugene G. Scull appeals from a judgment, entered on his guilty pleas, convicting him on one count of homicide by intoxicated operation of a motor vehicle and one count of causing great bodily harm by intoxicated operation of a motor vehicle. Appellate counsel, Timothy C. Drewa, has filed a no-merit report pursuant to *Anders v. California*, 386 U.S. 738 (1967), and WIS. STAT. RULE 809.32 (2023-24).¹ Scull was advised of his right to file a response, but he has not responded. Upon this court's independent review of the record, as mandated by *Anders*, and counsel's report, we conclude that there are no issues of arguable merit that could be pursued on appeal. We therefore summarily affirm the judgment. See WIS. STAT. RULE 809.21.

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

Around 3 a.m. on January 1, 2020, Scull was driving his Ford Explorer after leaving a “social club” at which he had been drinking. Scull lost control of his vehicle, deviated from his lane into oncoming traffic, and collided with a Chevrolet Camaro. A passenger in the Camaro was killed, and the driver suffered a broken leg. Scull and his passenger were also injured. Scull was charged with homicide by intoxicated operation of a motor vehicle; homicide by operation of a motor vehicle with a prohibited alcohol concentration; causing great bodily harm by intoxicated operation of a motor vehicle; and causing great bodily harm by operation of a motor vehicle with a prohibited alcohol concentration.

Scull eventually agreed to enter a guilty plea to the two intoxicated operation charges; the prohibited alcohol concentration charges would be dismissed and read in.² The State also agreed to recommend ten years of initial confinement without specifying a particular term of extended supervision. The circuit court ultimately imposed twelve years’ initial confinement and six years’ extended supervision for the homicide, with a concurrent sentence totaling six years’ imprisonment for the injury. Scull appeals.

The first potential issue discussed in the no-merit report is whether there is any arguably meritorious basis for challenging Scull’s guilty pleas as not knowing, intelligent, and voluntary. Our review of the record—including the plea questionnaire and waiver of rights form and addendum, the jury instructions for the offenses that were initialed by Scull, and the plea hearing transcript—confirms that the circuit court complied with its obligations for taking guilty pleas, pursuant to WIS. STAT. § 971.08, *State v. Bangert*, 131 Wis. 2d 246, 261-62, 389 N.W.2d 12

² The State also withdrew a motion to amend the information, which would have added two charges based on the injuries sustained by Scull’s passenger.

(1986), and *State v. Brown*, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906. We agree with counsel's analysis and conclusion that any challenge to the validity of Scull's pleas would lack arguable merit.

The no-merit report also addresses whether there is any arguably meritorious basis for challenging the circuit court's sentencing discretion. See *State v. Gallion*, 2004 WI 42, ¶17, 270 Wis. 2d 535, 678 N.W.2d 197. Our review of the record confirms that the court appropriately considered relevant sentencing objectives and factors. See *id.*, ¶41; see also *State v. Odom*, 2006 WI App 145, ¶7, 294 Wis. 2d 844, 720 N.W.2d 695; *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76. The 18-year sentence imposed is well within the 37½-year range authorized by law, see *State v. Scaccio*, 2000 WI App 265, ¶18, 240 Wis. 2d 95, 622 N.W.2d 449, and is not so excessive as to shock the public's sentiment, see *Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975). Scull also stipulated to restitution. There is no arguable merit to challenging to the court's sentencing discretion.

Our independent review of the record reveals no other potential issues of arguable merit.

Upon the foregoing, therefore,

IT IS ORDERED that the judgment is summarily affirmed. See WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Timothy C. Drewa is relieved of further representation of Scull in this matter. See 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