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DISTRICT IV

August 13, 2026

To:

Hon. Bennett J. Brantmeier
Circuit Court Judge
Electronic Notice

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Clerk of Circuit Court
Jefferson County Courthouse
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You are hereby notified that the Court has entered the following opinion and order:

2025AP904-CRNM	State of Wisconsin v. Ashley W. Carr (L.C. # 2019CF285)
2025AP905-CRNM	State of Wisconsin v. Ashley W. Carr (L.C. # 2019CM244)
2025AP906-CRNM	State of Wisconsin v. Ashley W. Carr (L.C. # 2019CF397)
2025AP907-CRNM	State of Wisconsin v. Ashley Winter Carr (L.C. # 2021CF227)
2025AP908-CRNM	State of Wisconsin v. Ashley Winter Carr (L.C. # 2021CF262)

Before Graham, P.J., Kloppenburg, and Nashold, 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 Donald Dudley, as appointed counsel for Ashley Carr, filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2023-24) and *Anders v. California*, 386 U.S. 738 (1967).¹ Counsel provided Carr with a copy of the report, and Carr responded to it. We conclude that

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

these cases are appropriate for summary disposition. *See* WIS. STAT. RULE 809.21. After our independent review of the records, we conclude that there is no arguable merit to any issue that could be raised on appeal.

In the cases underlying these consolidated appeals, Carr pled guilty or no contest to three counts of child abuse, two counts of felony bail jumping, and one count each of disorderly conduct and operating after revocation. The court imposed a combination of sentences that, with time served, amounted to eight years of initial confinement and five years of extended supervision.

The no-merit report addresses whether Carr's pleas were entered knowingly, voluntarily, and intelligently. 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 charges, the rights Carr was waiving, and other matters. The record shows no other ground to withdraw the pleas. There is no arguable merit to this issue.

The no-merit report addresses Carr's sentences. Each of Carr's sentences are within the legal maximums. As to discretionary issues, the standards for the circuit court and this court 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 circuit court considered appropriate factors, did not consider improper factors, and reached a reasonable result. There is no arguable merit to this issue.

The no-merit report states that Carr would like the court to review whether Carr could have pursued a defense of not guilty by reason of mental disease or defect. Carr's first response

to the no-merit report does not specifically identify that issue, but does provide a discussion of her mental health and mental health records. Pleas of guilty or no contest generally waive nonjurisdictional defenses. *State v. Kelty*, 2006 WI 101, ¶18 & n.11, 294 Wis. 2d 62, 716 N.W.2d 886. We are not aware of an exception for the potential defense of not guilty by reason of mental disease or defect. Therefore, Carr cannot raise this issue directly in this appeal.

If the issue could be raised, it would have to be as a claim that Carr's trial counsel was ineffective in relation to the potential defense of not guilty by reason of mental disease or defect. To establish ineffective assistance of counsel, a defendant must show that counsel's performance was deficient and that such performance prejudiced her defense. *Strickland v. Washington*, 466 U.S. 668, 687 (1984). Carr's materials do not provide an arguable basis to allege that counsel's performance was deficient by not pursuing this defense.

Carr's response and supplemental response to the no-merit report also address the issue of dental records and their relationship to a bite mark on a victim. Carr asserts that the records show that the bite mark was not from Carr's teeth. This is a question about the sufficiency of the evidence to support certain charges. However, Carr's pleas waive this defense. See *Kelty*, 2006 WI 101, ¶18 & n.11. A potential claim of ineffective assistance of counsel on the ground that trial counsel did not further investigate the bite mark does not have arguable merit. This claim does not have merit because Carr does not allege that, if counsel had investigated the bite mark further, Carr would have rejected the plea agreement and gone to trial. Accordingly, Carr's materials do not provide a basis to allege that counsel's performance on this issue prejudiced Carr. See *Strickland*, 466 U.S. at 687.

Our review of the record discloses no other potential issues for appeal.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Dudley is relieved of further representation of Carr in these matters. *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