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DISTRICT II

August 12, 2026

To:

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Circuit Court Judge
Electronic Notice

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Clerk of Circuit Court
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Leonard D. Kachinsky
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Saverio H. Parker #723678
Racine Correctional Institution
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Sturtevant, WI 53177-1829

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

2024AP2600-CRNM State of Wisconsin v. Saverio H. Parker (L.C. #2021CF1511)

Before Gundrum, Grogan and LoCoco, 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).

Saverio H. Parker appeals from a judgment of conviction entered upon his guilty pleas. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2023-24)¹ and *Anders v. California*, 386 U.S. 738 (1967). Parker received a copy of the report and was advised of his right to file a response. Parker has not responded. Upon consideration of the no-merit report

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

and an independent review of the record, we conclude there are no issues with arguable merit for appeal. We summarily affirm. *See* WIS. STAT. RULE 809.21.

The State charged Parker with eight felony counts, all with the use of a dangerous weapon and all as a party to a crime, after a violent incident involving Parker and six other individuals. Parker and the other six went to a house where some of their gang rivals were staying; five of the seven were carrying guns. Parker instructed one of the individuals to knock on or break down the door of the house as they approached. After the knock on the door, the individuals who were outside began firing their weapons indiscriminately into the house. Four adults and four children were inside the house during the shooting. One man who was inside was shot in the thigh.

Pursuant to an agreement with the State, Parker entered guilty pleas to one count of first-degree reckless injury and two counts of first-degree recklessly endangering safety, all with the dangerous-weapon enhancer and as a party to a crime. The parties were free to argue as to sentencing recommendations.

At sentencing, the State requested 9 years of initial confinement and made no recommendation regarding the amount of extended supervision. The defense requested probation because this was Parker's first adult criminal offense. The circuit court sentenced Parker to an aggregate of 9 years of initial confinement and 5 years of extended supervision for the first two counts to which he pled. The court also imposed 5 years of probation for Parker's second reckless-endangerment conviction, consecutive to the prison term. This no-merit appeal follows.

First, we agree with the report that there is no arguable basis for plea withdrawal. In order to withdraw a plea after sentencing, a defendant either must show that the plea colloquy was defective in a manner that resulted in him or her actually entering an unknowing plea, or

demonstrate some other manifest injustice such as coercion, the lack of a factual basis to support the charge, ineffective assistance of counsel, or failure by the prosecutor to fulfill the plea agreement. *State v. Bangert*, 131 Wis. 2d 246, 272-76, 389 N.W.2d 12 (1986); *State v. Krieger*, 163 Wis. 2d 241, 249-51 n.6, 471 N.W.2d 599 (Ct. App. 1991). There is no indication of any such defect here.

As stated above, Parker entered guilty pleas to three of the charged offenses. The circuit court conducted a standard plea colloquy, inquiring into Parker's ability to understand the proceedings and the voluntariness of his plea decision, and further exploring his understanding of the nature of the charge, the penalty range and other direct consequences of the plea, and the constitutional rights being waived. See *State v. Hoppe*, 2009 WI 41, ¶18, 317 Wis. 2d 161, 765 N.W.2d 794; and *Bangert*, 131 Wis. 2d at 266-72. In addition, Parker provided the court with a signed plea questionnaire. Parker indicated to the court that he had indeed signed the form and understood the information it provided, and he is not now claiming otherwise. See *State v. Moederndorfer*, 141 Wis. 2d 823, 827-28, 416 N.W.2d 627 (Ct. App. 1987).

Both the circuit court, during the plea colloquy, and the plea questionnaire, which Parker affirmed that he read and understood, informed Parker of the rights he was giving up pursuant to his favorable agreement with the State. Such rights include “the right to a trial,” the “right to ... present evidence at trial[,]” and the “right to confront in court the people who testify against [him] and cross-examine them” as to any evidence they present. Parker has not provided any basis on which we could conclude that he did not knowingly, intelligently, and voluntarily waive these rights when he entered his plea. We conclude there would be no arguable merit to a challenge based on these issues.

The circuit court found that facts in the criminal complaint supplied a factual basis for the plea, and there is nothing in the record or the no-merit report that leads us to conclude otherwise. In addition, they provide nothing that would support a claim of ineffective assistance of trial counsel. Parker has not alleged any other facts that would give rise to a manifest injustice. Therefore, the plea was valid and operated to waive all nonjurisdictional defects and defenses, aside from any suppression ruling.² *State v. Keltz*, 2006 WI 101, ¶18, 294 Wis. 2d 62, 716 N.W.2d 886.

There also is no arguable merit to a claim that the circuit court improperly exercised its sentencing discretion. In imposing sentence, the court considered the seriousness of the offense, Parker's character, and the need to protect the public. See *State v. Gallion*, 2004 WI 42, ¶¶27, 40-44, 270 Wis. 2d 535, 678 N.W.2d 197. The court reviewed a presentence investigation report submitted on Parker's behalf. Additionally, Parker had the opportunity to address the court directly, and did so prior to the court's imposition of sentence.

As noted, the circuit court imposed a sentence of 14 years of imprisonment, comprised of 9 years of initial confinement and 5 years of extended supervision. Parker faced a maximum sentence of 30 years of imprisonment on the first-degree reckless injury conviction alone, considering the five-year penalty enhancer for use of a dangerous weapon during the commission of the offense. See WIS. STAT. §§ 940.23(1)(a), 939.50(3)(d), 939.63(1)(b). As to the second of the first-degree reckless endangerment convictions, the court imposed a five-year probation term when Parker faced up to an additional seventeen and one-half years of imprisonment. See WIS.

² Our review of the record and the no-merit report does not indicate that any suppression motions were filed in this case.

STAT. §§ 941.30(1), 939.50(3)(f), 939.63(1)(b). Under the circumstances, it cannot reasonably be argued that Parker's sentence is so excessive as to shock public sentiment. See *Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975).

Upon our independent review of the record, we have found no other arguable basis for reversing the judgment of conviction. See *State v. Allen*, 2010 WI 89, ¶¶81-82, 328 Wis. 2d 1, 786 N.W.2d 124. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of *Anders* and WIS. STAT. RULE 809.32.

Accordingly,

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

IT IS FURTHER ORDERED that Attorney Leonard D. Kachinsky is relieved from further representing Saverio H. Parker in this appeal. 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