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DISTRICT II

September 23, 2026

To:

Hon. Jennifer R. Dorow
Circuit Court Judge
Electronic Notice

Angela Conrad Kachelski
Electronic Notice

Monica Paz
Clerk of Circuit Court
Waukesha County Courthouse
Electronic Notice

Jose M. Zuniga Molina #723331
Racine Correctional Institution
2019 Wisconsin St.
Sturtevant, WI 53177-1829

John Blimling
Electronic Notice

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

2025AP991-CRNM State of Wisconsin v. Jose M. Zuniga Molina (L.C. #2022CF799)

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).

Jose M. Zuniga Molina appeals from a judgment convicting him of several offenses. 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). Zuniga Molina received a copy of the report, was advised of his right to file a response, and has elected not to do so. Upon consideration of the report and an independent review of the Record, we conclude that there are no issues with

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

arguable merit for appeal. Therefore, we summarily affirm the judgment and remand the cause with directions.² See WIS. STAT. RULE 809.21.

Zuniga Molina was convicted following a jury trial of two counts of first-degree sexual assault of a child and one count of incest. He was accused of having sexual contact with his niece on two occasions while she was in the third or fourth grade.³ For his actions, the circuit court sentenced Zuniga Molina to a total of 25 years of initial confinement and 15 years of extended supervision. This no-merit appeal follows.

The no-merit report addresses whether the evidence at Zuniga Molina's trial was sufficient to support his convictions. When reviewing the sufficiency of the evidence, we may not substitute our judgment for that of the jury "unless the evidence, viewed most favorably to the state and the conviction, is so lacking in probative value and force that no trier of fact, acting reasonably, could have found guilt beyond a reasonable doubt." *State v. Poellinger*, 153 Wis. 2d 493, 507, 451 N.W.2d 752 (1990). Our review of the trial transcripts persuades us that the State produced ample evidence to convict Zuniga Molina of his crimes. That evidence included testimony from the victim, who recounted the sexual assaults. It also included testimony from other witnesses corroborating that Zuniga Molina had lived with the victim and slept in her bedroom during the period in question.

² There is a clerical error in the judgment of conviction regarding the date of the offenses. The judgment indicates that the offenses were committed on December 25, 2016. However, per the information, the period was actually between November of 2016 and December of 2017. We remand the matter to the circuit court so that the judgment can be amended to reflect that.

³ The victim was in eighth grade when she disclosed the sexual assaults.

The no-merit report also addresses a number of other issues, including: (1) whether the circuit court properly denied Zuniga Molina's pretrial requests to disclose the victim's counseling/school records; (2) whether the jury was properly selected and instructed; (3) whether the parties' opening statements/closing arguments were proper; (4) whether the testimony of witnesses was proper; (5) whether the court appropriately responded to the jury's question during deliberations;⁴ and (6) whether the court properly exercised its discretion at sentencing. This court is satisfied that the no-merit report correctly analyzes the issues it raises as without merit, and we will not discuss them further.⁵

Our review of the Record discloses no other potential issues for appeal. Accordingly, this court accepts the no-merit report, affirms the judgment of conviction, and discharges appellate counsel of the obligation to represent Zuniga Molina further in this appeal.⁶

Upon the foregoing reasons,

⁴ The jury asked why it did not get to see/hear the forensic interview of the victim and whether it could do so. The circuit court responded that the jury must only consider evidence that was offered and received at trial. It also told the jury not to speculate about the forensic interview.

⁵ There is one exception to this. At sentencing, the circuit court misstated the total amount of extended supervision that Zuniga Molina was facing (describing it as 85 years instead of 55 years). We are not persuaded that this brief misstatement presents an issue of arguable merit. To begin, the prosecutor correctly informed the court of the total amount of extended supervision Zuniga Molina faced, and the court's imposition of 15 years of extended supervision tracked the prosecutor's recommendation. Second, nothing in the sentencing transcript indicates that, in sentencing Zuniga Molina individually on each count, the court misunderstood Zuniga Molina's exposure as to each count. Third, the court's imposition of 15 years of extended supervision was well within the correct maximum. Finally, as explained by defense counsel at sentencing, any period of extended supervision is unlikely to matter because Zuniga Molina has an ICE hold and will be deported upon finishing his term of initial confinement.

⁶ At the time of sentencing, Zuniga Molina was taking an English as a Second Language class but still relying on a Spanish interpreter in court. Before terminating representation, we trust appellate counsel will, if necessary, make sure that Zuniga Molina receives a translated copy of the order or take other steps to ensure that Zuniga Molina understands it.

IT IS ORDERED that the judgment of the circuit court is summarily affirmed and cause remanded with directions pursuant to WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Angela Conrad Kachelski is relieved from further representing Jose M. Zuniga Molina 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