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DISTRICT IV

November 12, 2026

To:

Hon. Ramona A. Gonzalez
Circuit Court Judge
Electronic Notice

Tammy Pedretti
Clerk of Circuit Court
La Crosse County Courthouse
Electronic Notice

John Blimling
Electronic Notice

Roberta A. Heckes
Electronic Notice

Deandrew Seneca Grant 736451
Waupun Correctional Institution
P.O. Box 351
Waupun, WI 53963-0351

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

2025AP2601-CRNM State of Wisconsin v. Deandrew Seneca Grant
(L.C. # 2023CF584)

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).

Deandrew Seneca Grant appeals a judgment of conviction for four offenses: attempted first-degree intentional homicide with use of a dangerous weapon, substantial battery with use of a dangerous weapon, recklessly endangering safety with use of a dangerous weapon, and possession of a firearm by an "outstate" felon. Appellate counsel, Roberta A. Heckes, filed a no-merit report pursuant to ***Anders v. California***, 386 U.S. 738 (1967), and WIS. STAT. RULE 809.32

(2023-24).[1] Grant submitted a response that consists of a list of six issues, with no elaboration on any of these issues. This court has independently reviewed the record and the parties' submissions, and we conclude that there are no issues of arguable merit that could be pursued on appeal. We therefore summarily affirm the judgment.

Grant's conviction stems from a 2023 shooting, during which Grant fired shots at a restaurant from his car shortly after an altercation with a group of people congregated outside the restaurant. Multiple victims, including several patrons of the restaurant with whom Grant had no earlier interactions, were injured by the shots. At the time of this incident, Grant was considered an "outstate felon," having been convicted of a qualifying felony offense in another state. *See* WIS. STAT. § 941.29(1m)(b).

The State filed an amended 29-count criminal complaint against Grant in June 2023 that included six counts of attempted first-degree intentional homicide with use of a dangerous weapon, seven counts of substantial battery with use of a dangerous weapon, fifteen counts of recklessly endangering safety with use of a dangerous weapon, and one count of possession of a firearm by an outstate felon.

The circuit court ordered a competency evaluation during a status hearing in September 2023. The first evaluator was unable to come to a conclusion about Grant's competency based on the evaluator's "limited contact" with Grant, but the evaluator's report noted that Grant "expressed and displayed profound impairments that are highly unlikely, and his overall presentation reflected a concerted effort to suppress his knowledge and understanding, as well as to exaggerate his

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

symptoms." The court then ordered an inpatient evaluation. The second evaluator opined in December 2023 that Grant did not lack substantial mental capacity to understand the proceedings and assist in his own defense, stating that Grant's "inconsistent statements and behaviors are indicative of feigning or exaggerating psychiatric problems." Grant did not object to the evaluator's finding that he was competent to proceed, and the court adopted the finding of competency.

Grant agreed to plead no contest to the four charges listed above in exchange for the State's promise to move to dismiss the remaining charges, which would be read in for sentencing purposes. The parties agreed that they would both be free to argue at sentencing. The circuit court ultimately imposed the consecutive sentences recommended by the Department of Corrections and the State for a total of 33 years of initial confinement followed by 10 years of extended supervision: 22.5 years of initial confinement followed by 5 years of extended supervision on the attempted homicide charge; 6.5 years of initial confinement followed by 2 years of extended supervision on the reckless endangerment charge; 3 years of initial confinement followed by 1 year of extended supervision on the substantial battery charge; and 1 year of initial confinement followed by 2 years of extended supervision on the firearm possession charge.

The first potential issue discussed in the no-merit report is whether there is any arguably meritorious basis for challenging Grant's pleas as not knowing, intelligent, and voluntary or lacking a factual basis. The first issue listed in Grant's response to the report is "Defendant Grant is not mentally competent to understand the legal court proceeding, pleas, ramification and consequences." This court's review of the record—including the plea questionnaire, the plea hearing transcript, and all transcripts and reports discussing Grant's competency—confirms that the circuit court complied with its plea-entering obligations pursuant to WIS. STAT. § 971.08, ***State***

v. Bangert, 131 Wis. 2d 246, 261-62, 389 N.W.2d 12 (1986), and ***State v. Brown***, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906.

The circuit court questioned Grant extensively about his understanding of the proceedings and his constitutional rights, appropriately warned him about the consequences of entering a plea, and noted its satisfaction that Grant's pleas were "freely, intelligently, and voluntarily made." The court also confirmed that Grant's mental health issues did not interfere with his ability to understand or participate in the hearing. The transcript reflects that, unlike in earlier hearings during which Grant asked questions like "What's an attorney?" and professed not to "know what's going on," Grant responded appropriately and coherently to the court's questions at the plea hearing. He appeared to be engaged and cognizant of the implications of the proceeding, one time clarifying that he was pleading guilty to first-degree *intentional* homicide after the court described the charge as simply "attempted first-degree homicide." This court agrees with counsel's analysis and conclusion that any challenge to the validity of Grant's guilty pleas would lack arguable merit and that there is no basis for challenging the court's determination that Grant was competent to enter his pleas.

The no-merit report also addresses whether there is any arguably meritorious basis for challenging the circuit court's exercise of discretion during sentencing. *See* ***State v. Gallion***, 2004 WI 42, ¶17, 270 Wis. 2d 535, 678 N.W.2d 197. Grant listed "Court abused its discretion when it sentence[d] defendant" as an issue in his response to the report. This court's review of the record confirms that the circuit court appropriately considered relevant sentencing objectives and factors and reveals no erroneous exercise of discretion in sentencing. *See* ***Gallion***, 270 Wis. 2d 535, ¶44; *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 maximum cumulative period of

initial confinement that Grant faced on the four convictions was 68 years, consisting of 45 years for attempted first-degree intentional homicide with a dangerous weapon, WIS. STAT. §§ 940.01(1)(a), 939.32, 939.63(1)(b), 973.01(2)(b)1.; 12.5 years for reckless endangerment with a dangerous weapon, WIS. STAT. §§ 941.30(1), 939.63(1)(b), 939.50(3)(f), 973.01(2)(b)6m.; 5.5 years for substantial battery with a dangerous weapon, WIS. STAT. §§ 940.60(2), 939.63(1)(b), 973.01(2)(b)9.; and 5 years for possession of a firearm by an outstate felon, WIS. STAT. §§ 941.29(1m)(b), 973.01(2)(b)7. The sentences imposed, totaling 33 years of initial confinement, were well within these limits. *See* ***State v. Scaccio***, 2000 WI App 265, ¶18, 240 Wis. 2d 95, 622 N.W.2d 449 ("A sentence well within the limits of the maximum sentence is unlikely to be unduly harsh or unconscionable."). There is no arguable merit to challenging Grant's sentence.

Finally, the no-merit report addresses whether Grant received ineffective assistance of counsel. Grant also lists "Ineffective assistance of counsel" as an issue in his response. Grant requested that his trial attorney withdraw prior to the plea hearing, alleging that she was "forcing [him] to plead guilty." The circuit court denied the motion to withdraw, explaining to Grant that his attorney's role was to provide "professional advice and opinions based upon the evidence as it exists" but that the decision of whether to enter a plea or go to trial was Grant's alone. Nothing in the record suggests that trial counsel provided ineffective assistance or that Grant could show he was prejudiced by counsel's advice to plead guilty to four counts rather than go to trial on the 29 felony charges against him. *See* ***Hill v. Lockhart***, 474 U.S. 52, 58 (1985) (stating that defendants seeking to challenge the validity of their guilty pleas on the ground of ineffective assistance must show prejudice).

The remaining issues listed in Grant's response to the no-merit report are "Grant was not on his psychological medication when he committed the crime," "Self-defense," and "Denied

Postconviction." None of these concepts provide any potential issue for appeal in light of the procedural posture of this case and the guilty-plea-waiver rule, which limits the issues that a defendant who has pleaded guilty or no contest can raise on appeal.

Additionally, because the issue of Grant's competence has been raised by Grant in his response, this court ordered Attorney Heckes to inform the court whether, in her opinion, there was reason to doubt the defendant's ability to make decisions committed by law to the defendant in postconviction relief proceedings with a reasonable degree of rational understanding such that any of the procedures outlined in ***State v. Debra A.E.***, 188 Wis. 2d 111, 523 N.W.2d 727 (1994), would be appropriate. Attorney Heckes responded that she had no concerns about Grant's competency. Our review of the record does not cause us to question counsel's assessment.

This court's independent review of the record reveals no other potential issues of arguable merit.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Roberta A. Heckes is relieved of further representation of Grant 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