



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215
P.O. BOX 1688
MADISON, WISCONSIN 53701-1688
Telephone (608) 266-1880
TTY: (800) 947-3529
Facsimile (608) 267-0640
Web Site: www.wicourts.gov

DISTRICT III

December 18, 2018

To:

Hon. Mitchell J. Metropulos
Circuit Court Judge
320 S. Walnut St.
Appleton, WI 54911

Barb Bocik
Clerk of Circuit Court
Outagamie County Courthouse
320 S. Walnut St.
Appleton, WI 54911

Melinda J. Tempelis
District Attorney
320 S. Walnut Street
Appleton, WI 54911-5918

Mark R. Thompson
Assistant State Public Defender
P.O. Box 7862
Madison, WI 53707-7862

Criminal Appeals Unit
Department of Justice
P.O. Box 7857
Madison, WI 53707-7857

John C. Tetzlaff
818 S. Matthias Street
Appleton, WI 54915

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

2017AP1031-CRNM State of Wisconsin v. John C. Tetzlaff

Before Stark, P.J., Hruz and Seidl, 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).

Counsel for John Tetzlaff has filed a no-merit report concluding there is no basis to challenge Tetzlaff's convictions for battery to a law enforcement officer, obstructing an officer, and disorderly conduct. Tetzlaff was advised of his right to respond and has not responded. Upon our independent review of the record as mandated by *Anders v. California*, 386 U.S. 738

(1967), we conclude there is no merit to any issue that could be raised on appeal and summarily affirm. *See* WIS. STAT. RULE 809.21 (2015-16).

According to the criminal complaint, officers from the Grand Chute Police Department were dispatched to Tetzlaff's shop due to a noise complaint. Officers had responded to noise complaints at that address approximately eighteen times since 2015, and Tetzlaff had a history of being uncooperative. Before making contact with Tetzlaff, the officers determined there was an outstanding warrant for his arrest.

Due to Tetzlaff's uncooperative history, the officers waited for Tetzlaff to come out of his shop. After a short period of time, Tetzlaff came out and began to urinate. An officer approached Tetzlaff and informed him that he was under arrest for the outstanding warrant. Tetzlaff appeared to be intoxicated, smelled like alcohol, and had bloodshot and glassy eyes. Tetzlaff soon became verbally abusive, and continued to be belligerent even after being handcuffed. The transcript of the video from the officer's chest camera indicates Tetzlaff engaged in a profane verbal onslaught during which he called the officers various derogatory names, including "cock suckers," "dumb ass," "sons of bitches," and "cocksucker fucker." Eventually, Tetzlaff kicked one of the officers in the testicles.

Tetzlaff eventually pleaded no contest to battery to a law enforcement officer, obstructing an officer, and disorderly conduct. The circuit court imposed concurrent jail sentences totaling twelve months.

The no-merit report addresses whether there is arguable merit to any claim that Tetzlaff's no-contest pleas were not knowingly, intelligently, and voluntarily entered; and whether there is any arguably meritorious basis for challenging the circuit court's sentencing discretion. This

court is satisfied the no-merit report properly analyzes the issues raised, and we will not discuss the issues further. Our independent review of the record discloses no other potential issues for appeal.

Therefore,

IT IS ORDERED that the judgment is summarily affirmed pursuant to WIS. STAT. RULE 809.21 (2015-16).

IT IS FURTHER ORDERED that attorney Mark Thompson is relieved of further representing Tetzlaff in this matter. *See* WIS. STAT. RULE 809.32(3) (2015-16).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals