



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 I

June 3, 2025

To:

Hon. Mark A. Sanders
Circuit Court Judge
Electronic Notice

Anna Hodges
Clerk of Circuit Court
Milwaukee County Safety Building
Electronic Notice

Pamela Moorshead
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

Corey Lamar DeJohnett 657199
Fox Lake Correctional Institution
P.O. Box 147
Fox Lake, WI 53933

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

2024AP620-CRNM State of Wisconsin v. Corey Lamar DeJohnett
(L.C. # 2021CF2932)

Before White, C.J., Geenen, and Colón, 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).

Corey Lamar DeJohnett appeals from a judgment convicting him of one count of third-degree sexual assault and one count of arson of a building. Appellate counsel Pamela Moorshead filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2023-24),¹ and *Anders v. California*, 386 U.S. 738 (1967). DeJohnett received a copy of the report, was advised of his right to file a response, and has not responded. We have independently reviewed the record and the no-merit report as mandated by *Anders*. We conclude that there are no issues of arguable

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

merit that could be pursued on appeal. We therefore summarily affirm. *See* WIS. STAT. RULE 809.21.

The State initially charged DeJohnett with eight crimes: one count of second-degree sexual assault; one count of strangulation and suffocation; one count of arson of a building; four counts of first-degree recklessly endangering safety; and one count of felony bail jumping. Ultimately, DeJohnett pled guilty to one count of third-degree sexual assault and one count of arson of a building. The remaining charges, as well as a child enticement charge in a separate case, were dismissed and read in. The circuit court conducted a colloquy with DeJohnett and accepted his pleas. The court sentenced DeJohnett to five years of initial confinement and five years of extended supervision on the sexual assault count and ten years of initial confinement and seven years of extended supervision on the arson count, to run consecutively. This no-merit report follows.

Appellate counsel's no-merit report addresses three issues: (1) whether DeJohnett's pleas were knowing, intelligent, and voluntary; (2) whether there was sufficient evidence to form a factual basis for DeJohnett's pleas; and (3) whether the circuit court properly exercised its sentencing discretion.

With regard to DeJohnett's guilty pleas, our review of the record—including the plea questionnaire/waiver of rights form, the addendum, and the plea hearing transcript—confirms that the circuit court complied with its obligations for taking guilty pleas 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. These obligations exist specifically to help ensure the validity of any plea. We thus agree with appellate counsel's

conclusion in the no-merit report that there is no arguable merit to seeking plea withdrawal based on a claim that DeJohnett's pleas were anything other than knowing, intelligent, and voluntary.

The no-merit report next addresses whether there was sufficient evidence to support a factual basis for DeJohnett's pleas. The parties agreed that the circuit court could use the facts in the criminal complaint to support the pleas. We have independently reviewed the record and agree with appellate counsel's description, analysis, and conclusion that a challenge to the factual basis would lack arguable merit.

The no-merit report lastly addresses whether there would be arguable merit to a challenge to the sentence imposed by the circuit court. Sentencing is a matter for the court's discretion. *See State v. Gallion*, 2004 WI 42, ¶17, 270 Wis. 2d 535, 678 N.W.2d 197. At sentencing, a court must consider the principal objectives of sentencing, including the protection of the community, the punishment and rehabilitation of the defendant, and deterrence to others. *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76. It must also determine which objective or objectives are of greatest importance. *Gallion*, 270 Wis. 2d 535, ¶41. In seeking to fulfill the sentencing objectives, the court should consider several primary factors, including the protection of the public, the gravity of the offense, and the rehabilitative needs of the defendant, and it may consider additional factors. *Id.*, ¶¶43-44. The weight to be given to each factor is committed to the court's discretion. *State v. Odom*, 2006 WI App 145, ¶7, 294 Wis. 2d 844, 720 N.W.2d 695.

Our review of the record confirms that the circuit court appropriately considered the relevant sentencing objectives and factors. The resulting sentences were within the potential maximums authorized by law, *see State v. Scaccio*, 2000 WI App 265, ¶18, 240 Wis. 2d 95, 622

N.W.2d 449, and are not so excessive so as to shock the public's sentiment, *see Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975).

Our independent review of the record reveals no other potential issues of arguable merit.

Upon the foregoing, therefore,

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

IT IS FURTHER ORDERED that Attorney Pamela Moorshead is relieved of further representation of Corey Lamar DeJohnett in this matter. *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