

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

July 1, 2025

To:

Hon. Michelle A. Havas Circuit Court Judge Electronic Notice

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

John Blimling Electronic Notice

Deandre Excel Brown 711042 Fox Lake Correctional Institution W10237 Lake Emily Road Fox Lake, WI 53933

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

2024AP693-CRNM

State of Wisconsin v. Deandre Excel Brown (L.C. # 2021CF5248)

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).

Deandre Excel Brown appeals a judgment, entered on a jury's verdicts, convicting him of two counts of felony bail jumping, one count of criminal damage to property, and one count of disorderly conduct, with the latter two crimes charged as acts of domestic abuse. His appellate counsel, Jill M. Skwor, has filed a no-merit report pursuant to Wis. STAT. Rule 809.32 (2023-24)¹ and *Anders v. California*, 386 U.S. 738 (1967). Brown 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

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

report and an independent review of the record as mandated by *Anders*, this court summarily affirms the judgment because there is no arguable merit to any issue that could be pursued on appeal. *See* WIS. STAT. RULE 809.21.

According to the criminal complaint, police officers were dispatched to a home in response to a 911 call. Upon arrival, officers spoke with the victim who told the officers that Brown is the father of her child and that the two had "tussled" over keys to a car. When Brown left, the victim locked the door and went to call the police. The victim told the officers that Brown, who was watching her through the window, then kicked in the door to her residence, took the phone from her hand, and smashed her television. The complaint additionally alleged that at the time of the incident, Brown had open felony cases and had posted bail in each of them. As a condition of his release, Brown was ordered not to commit any new crimes.

The case proceeded to trial, and a jury found Brown guilty of two counts of felony bail jumping, one count of criminal damage to property, and one count of disorderly conduct. The trial court imposed 3-year sentences for each of the felony bail jumping convictions, comprised of 18 months of initial confinement and 18 months of extended supervision, 9 months for the criminal damage to property conviction, and 3 months for the disorderly conduct conviction, with all of the sentences to run concurrently.

The comprehensive no-merit report discusses a number of issues including whether Brown could challenge the sufficiency of the evidence. We agree with counsel that there is no arguable merit to this issue. An appellate court will not overturn a conviction "unless the evidence, viewed most favorably to the [S]tate and the conviction, is so insufficient in probative value and force that it can be said as a matter of law that no trier of fact, acting reasonably, could

have found guilt beyond a reasonable doubt." *State v. Poellinger*, 153 Wis. 2d 493, 501, 451 N.W.2d 752 (1990). The evidence at trial, which included testimony from the victim and the responding police officers, was sufficient to support the verdicts.

Based on our independent review of the record, we also agree with counsel that there are no other issues of arguable merit relating to pretrial rulings. This includes potential issues relating to the circuit court's pretrial rulings, jury selection, opening statements, closing arguments, and jury instructions.

The no-merit report addresses Brown's sentences, which did not exceed the legal maximums. As to discretionary issues, the standards for the circuit court and this court are well established and need not be repeated here. *See State v. Gallion*, 2004 WI 42, ¶¶17-51, 270 Wis. 2d 535, 678 N.W.2d 197. In this case, the court considered appropriate factors, did not consider improper factors, and reached reasonable results. There is no arguable merit to this issue.

A review of the record discloses no other potential issues for appeal. Accordingly, this court accepts the no-merit report, affirms the judgment, and discharges appellate counsel of the obligation to represent Brown further in this appeal.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Jill Marie Skwor is relieved of further representation of Brown 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