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DISTRICT III

July 1, 2025

To:

Hon. John F. Manydeeds
Circuit Court Judge
Electronic Notice

Kathleen A. Lindgren
Electronic Notice

Cherie Norberg
Clerk of Circuit Court
Eau Claire County Courthouse
Electronic Notice

Jeremias C. Haasnoot 412034
New Lisbon Correctional Inst.
P.O. Box 2000
New Lisbon, WI 53950-2000

John Blimling
Electronic Notice

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

2025AP289-CRNM	State of Wisconsin v. Jeremias C. Haasnoot
2025AP290-CRNM	(L. C. Nos. 2021CF386, 2021CF488)

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

In these consolidated appeals, counsel for Jeremias C. Haasnoot has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2023-24),¹ concluding that no grounds exist to challenge the sentences imposed after the revocation of Haasnoot's probation. Haasnoot was informed of his right to file a response to the no-merit report, but he has not responded. Upon our independent review of the records as mandated by *Anders v. California*, 386 U.S. 738

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

(1967), we conclude that there is no arguable merit to any issue that could be raised on appeal. Therefore, we summarily affirm the judgments of conviction. *See* WIS. STAT. RULE 809.21.

In June 2021, Haasnoot entered no-contest pleas in Eau Claire County Case No. 2021CF386 to 1 count of possession with intent to deliver methamphetamine (more than 10 but not more than 50 grams) and 1 count of possession with intent to deliver cocaine (more than 1 but not more than 5 grams), both counts as second or subsequent offenses and with the repeater enhancer. On the same date, Haasnoot entered a no-contest plea in Eau Claire County Case No. 2021CF488 to delivery of methamphetamine (less than or equal to three grams), as a second or subsequent offense and with the repeater enhancer. The circuit court withheld sentence in both cases and imposed concurrent five-year terms of probation on all three counts.

Haasnoot's probation was subsequently revoked, and he returned to court for a sentencing after revocation hearing in November 2023.² During the hearing, the circuit court granted the State's motions to strike the second or subsequent offense enhancers from the charges in Case Nos. 2021CF386 and 2021CF488. *See State v. Hailes*, 2023 WI App 29, ¶¶1-2, 408 Wis. 2d 465, 992 N.W.2d 835, *review denied*, 2024 WI 4, 5 N.W.3d 597 (holding that a repeater enhancer and second or subsequent offense enhancer cannot both be applied to the same charge). Both sides then made their sentencing arguments, and Haasnoot exercised his right of allocution.

² During the same hearing, the circuit court also sentenced Haasnoot on two charges in Eau Claire County Case No. 2022CF1320. Those convictions are the subject of a separate no-merit appeal, and we therefore do not address them further here.

After considering the need to protect the public, Haasnoot's character, Haasnoot's rehabilitative needs, and the gravity of the offenses, the circuit court imposed concurrent sentences in Case Nos. 2021CF386 and 2021CF488 totaling ten years' initial confinement followed by five years' extended supervision.³ With the parties' agreement, the court granted Haasnoot 289 days of sentence credit in Case No. 2021CF386 and 285 days of credit in Case No. 2021CF488. The court also made Haasnoot eligible for the Challenge Incarceration Program and the Substance Abuse Program.

An appeal from a sentence imposed following the revocation of probation does not bring the defendant's underlying conviction before this court. *State v. Drake*, 184 Wis. 2d 396, 399, 515 N.W.2d 923 (Ct. App. 1994). In addition, Haasnoot cannot challenge the validity of any underlying probation revocation decision in these appeals. *See State ex rel. Flowers v. DHSS*, 81 Wis. 2d 376, 384, 260 N.W.2d 727 (1978) (explaining that probation revocation is independent from the underlying criminal action); *see also State ex rel. Johnson v. Cady*, 50 Wis. 2d 540, 550, 185 N.W.2d 306 (1971) (explaining that judicial review of probation revocation is by a petition for certiorari in the circuit court).

Accordingly, the only potential issue for appeal is whether the circuit court erroneously exercised its discretion when sentencing Haasnoot following the revocation of his probation. The no-merit report concludes that there would be no arguable merit to a claim that the court did so. Having independently reviewed the records, we agree with counsel's description, analysis,

³ The court also ordered that these sentences would be concurrent with Haasnoot's sentences in Case No. 2022CF1320.

and conclusion that this potential issue lacks arguable merit, and we therefore do not address it further.

Our independent review of the records discloses no other potential issues for appeal.

Therefore,

IT IS ORDERED that the judgments are summarily affirmed. WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Kathleen A. Lindgren is relieved of further representation of Jeremias C. Haasnoot 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