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DISTRICT I

September 30, 2025

To:

Hon. Kori L. Ashley
Circuit Court Judge
Electronic Notice

Paul C. Dedinsky
Electronic Notice

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

Brian Patrick Mullins
Electronic Notice

Jeffery John Winker
N12048 Fire Barn Road
Tripoli, WI 54564

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

2023AP2107-CRNM State of Wisconsin v. Jeffery John Winker (L.C. # 2021CT291)

Before Geenen, J.¹

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).

Attorney Brian Mullins, appointed counsel for Jeffery Winker, has filed a no-merit report seeking to withdraw as appellate counsel. *See* WIS. STAT. RULE 809.32 and *Anders v. California*, 386 U.S. 738, 744 (1967). Winker was sent a copy of the report, but has not filed a response. Upon independently reviewing the entire record, as well as the no-merit report, this court agrees with counsel's assessment that there are no arguably meritorious appellate issues. Accordingly, the judgment of conviction is affirmed.

¹ This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(f) (2023-24). All references to the Wisconsin Statutes are to the 2023-24 version.

Winker was charged with operating a motor vehicle while under the influence of a controlled substance and operating a motor vehicle with a detectable amount of a controlled substance in his blood, both as a third offense. Winker move to suppress the evidence against him based on a claim that he was seized without reasonable suspicion. The circuit court held an evidentiary hearing and then denied the suppression motion.

Pursuant to a plea agreement, Winker pled guilty to operating a motor vehicle with a detectable amount of a controlled substance in his blood, and the operating under the influence charge was dismissed. Additionally, under the plea agreement, the State recommended a sentence of seven months in jail plus two years' driver's license revocation. The circuit court imposed 45 days in jail, a \$600 fine, and two years' driver's license revocation and ignition interlock device.

The no-merit report addresses: (1) whether the circuit court erred in denying the suppression motion; (2) whether Winker's pleas were entered knowingly, voluntarily, and intelligently; and (3) whether the circuit court properly exercised its discretion at sentencing. This court is satisfied that the no-merit report correctly analyzes the issues it raises as without merit, and will not discuss them further.

Upon this court's independent review of the record, the court has found no other arguable basis for reversing the judgment of conviction. The court concludes that any further appellate proceedings would be wholly frivolous within the meaning of *Anders* and WIS. STAT. RULE 809.32.

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

IT IS FURTHER ORDERED that Attorney Brian Mullins is relieved of any further representation of Jeffery Winker 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