



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

September 30, 2025

To:

Hon. Laura Crivello
Circuit Court Judge
Electronic Notice

David Malkus
Electronic Notice

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

John Blimling
Electronic Notice

Keshonn Randell Baker 679500
Stanley Correctional Inst.
100 Corrections Dr.
Stanley, WI 54768

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

2024AP2111-CRNM State of Wisconsin v. Keshonn Randell Baker
(L.C. # 2021CF4223)

Before Colón, P.J., Donald, and Geenen, 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).

Keshonn Randell Baker appeals a judgment, entered upon his guilty plea, convicting him of one count of child neglect resulting in death. Appellate counsel, David Malkus, filed a no-merit report pursuant to *Anders v. California*, 386 U.S. 738 (1967), and WIS. STAT. RULE 809.32 (2023-24).¹ Baker 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

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

mandated by *Anders*. We conclude that there are no issues of arguable merit that could be pursued on appeal. We therefore summarily affirm. *See* WIS. STAT. RULE 809.21.

The State charged Baker with one count of child neglect resulting in death. According to the complaint, first responders and Milwaukee police responded to Baker's call for emergency assistance when he discovered his one-year-old child, K.B., unresponsive. First responders were unable to revive K.B., who was declared dead at the scene. Upon a search of Baker's home, police discovered multiple substances, later confirmed to be marijuana, cocaine, methamphetamine, and fentanyl. Toxicology reports revealed the presence of fentanyl and cocaine in K.B.'s system. The medical examiner determined K.B.'s cause of death to be acute drug toxicity.

Baker ultimately pled guilty to the charged offense. The circuit court conducted a plea colloquy with Baker and accepted his plea. The circuit court sentenced Baker to 11 years of initial confinement followed by 9 years of extended supervision. Following a postconviction motion, the circuit court granted Baker additional sentence credit. This no-merit report follows.

Appellate counsel's no-merit report addresses two issues: (1) whether Baker's plea was knowing, intelligent, and voluntary; and (2) whether the circuit court properly exercised its sentencing discretion.

With regard to Baker's guilty plea, our review of the record—including the plea questionnaire/waiver of rights form, the addendum, the jury instructions, 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 upon a claim that Baker's plea was anything other than knowing, intelligent, and voluntary.

With regard to the circuit court's sentencing decision, we note that sentencing is a matter for the circuit 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 gravity of the offense, the character of the offender, and the protection of the public, and it may consider additional factors. *State v. Odom*, 2006 WI App 145, ¶7, 294 Wis. 2d 844, 720 N.W.2d 695. The weight to be given to each factor is committed to the court's discretion. *Id.* Our review of the record confirms that the circuit court appropriately considered the relevant sentencing objectives and factors. The resulting sentence was within the potential maximum authorized by law, *see State v. Scaccio*, 2000 WI App 265, ¶18, 240 Wis. 2d 95, 622 N.W.2d 449, and is 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.

For all the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney David Malkus is relieved of further representation of Keshonn Randell Baker 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