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DISTRICT II

October 8, 2025

To:

Hon. Gerad T. Dougville
Circuit Court Judge
Electronic Notice

Rebecca Matoska-Mentink
Clerk of Circuit Court
Kenosha County Courthouse
Electronic Notice

John Blimling
Electronic Notice

Jonathan D. Gunderson
Electronic Notice

Douglas C. McIntosh
Electronic Notice

Felipe Mendoza #150261
Oshkosh Correctional Inst.
P.O. Box 3310
Oshkosh, WI 54903-3310

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

2025AP1244-CRNM State of Wisconsin v. Felipe Mendoza (L.C. #2023CF1610)

Before Neubauer, P.J., Grogan, and Lazar, 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).

Felipe Mendoza appeals from a judgment of conviction entered upon his guilty plea. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2023-24)¹ and

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

Anders v. California, 386 U.S. 738 (1967).² Mendoza 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 report and an independent review of the Record, we conclude there are no issues with arguable merit for appeal. Therefore, we summarily affirm the judgment. *See* WIS. STAT. RULE 809.21.

The State charged Mendoza with tampering with a global positioning system tracking device, as a repeater. Mendoza entered a guilty plea to that charge, pursuant to a plea agreement. In exchange for Mendoza’s plea, the State agreed to recommend “incarceration,” but with “no specific length or conditions.” The circuit court ultimately sentenced Mendoza to three years of initial confinement and two years of extended supervision, consecutive to any other sentence. In addition, the court declared Mendoza ineligible for the Challenge Incarceration Program and the Substance Abuse Program. This no-merit appeal follows.

The no-merit report addresses whether Mendoza’s plea was knowingly, voluntarily, and intelligently entered; whether the circuit court properly exercised its discretion at sentencing, including by declaring Mendoza ineligible for the Substance Abuse Program;³ and whether there are any new factors that would provide a basis to seek modification of Mendoza’s sentence. This court is satisfied that the no-merit report correctly analyzes the issues raised as without merit. Accordingly, we will not discuss them further.

² Attorney Douglas C. McIntosh was initially appointed as appellate counsel for Mendoza. Attorney Jonathan D. Gunderson was later appointed as appellate counsel for Mendoza, and filed the no-merit report. However, Attorney McIntosh never formally withdrew from representing Mendoza, and he is still listed as counsel of record for purposes of this no-merit appeal.

³ Mendoza, who was 78 years old at the time of sentencing, was statutorily ineligible for the Challenge Incarceration Program. *See* WIS. STAT. § 302.045(2)(b) (limiting eligibility for the Challenge Incarceration Program to inmates younger than 40).

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

Therefore,

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

IT IS FURTHER ORDERED that Attorneys Douglas C. McIntosh and Jonathan D. Gunderson are relieved of further representation of Felipe Mendoza 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