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DISTRICT I

November 4, 2025

To:

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Circuit Court Judge
Electronic Notice

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Milwaukee County Courthouse
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Milwaukee, WI 53233-1803

F.A.G.-C.

Courtney L.A. Roelandts
Electronic Notice

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

2024AP721-NM

In re the termination of parental rights to N.G.-R., a person under
the age of 18: State of Wisconsin v. F.A.G.-C. (L.C. # 2022TP196)

Before Donald, 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).**

F.A.G.-C., by counsel, appeals the circuit court order terminating his parental rights to his
daughter, N.G.-R. Attorney Jill Marie Skwor, appointed counsel for F.A.G.-C., has filed a no-
merit report pursuant to WIS. STAT. RULES 809.107(5m) and 809.32. F.A.G.-C. was informed of

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

his right to respond to the report, but has not filed a response. After considering the report and conducting an independent review of the record as required by *Anders v. California*, 386 U.S. 738 (1967), this court concludes that there is no arguable merit to any issue that could be raised on appeal. Therefore, the circuit court order is summarily affirmed. See WIS. STAT. RULE 809.21.

The State filed a petition to terminate F.A.G.-C.'s parental rights to N.G.-R., alleging as grounds that N.G.-R. was in continuing need of protection or services (CHIPS), that F.A.G.-C. had abandoned N.G.-R., and that F.A.G.-C. had failed to assume parental responsibility. See WIS. STAT. §§ 48.415(1), (2) and (6). F.A.G.-C. entered a plea of no contest to the failure to assume parental responsibility ground. The circuit court entered a finding of unfitness as to F.A.G.-C. and set the matter for a dispositional hearing. At the dispositional hearing, after hearing evidence and argument, the circuit court made an oral ruling finding that termination of F.A.G.-C.'s parental rights was in N.G.-R.'s best interests, and subsequently entered an order to that effect. F.A.G.-C. filed a post-disposition motion arguing that he should be permitted to withdraw his plea, which the circuit court denied based on our supreme court's decision in *State v. B.W.*, 2024 WI 28, 412 Wis. 2d 364, 8 N.W.3d 22. This no-merit appeal follows.

The no-merit report addresses whether the circuit court complied with the statutory deadlines that govern termination of parental rights proceedings. The record reflects that all of the statutory deadlines under WIS. STAT. ch. 48 were either met or properly extended for good cause, without objection, to accommodate the parties' schedules. "Failure to object to a period of delay ... waives any challenge to the court's competency to act during the period of delay[.]" WIS. STAT. § 48.315(3). Any challenge to the circuit court proceedings based upon a failure to comply with the statutory time limits would be without arguable merit on appeal.

Next, the no-merit report addresses whether the petition satisfied the statutory requirements of WIS. STAT. § 48.42(1). A termination of parental rights petition is required to include certain information “set forth with specificity[.]” Sec. 48.42(1). Our review of the record satisfies us that the petition contains the required information. There is no arguable merit to challenging the legal sufficiency of the petition.

Third, the no-merit report addresses whether there was sufficient evidence to support the circuit court’s findings that grounds existed to termination F.A.G.-C.’s parental rights. When a parent does not contest grounds in a petition by entering a no contest plea, as in this case, the court nevertheless “shall hear testimony in support of the allegations in the petition[.]” WIS. STAT. § 48.422(3). The court and the parties agreed to complete the evidentiary portion of the grounds phase with a “prove-up” hearing conducted immediately after F.A.G.-C. entered his no contest plea.

Failure to assume parental responsibility is established by proving that the parent has not had a “substantial parental relationship” with the child. WIS. STAT. § 48.415(6)(a). A substantial parental relationship “means the acceptance and exercise of significant responsibility for the daily supervision, education, protection and care of the child.” Sec. 48.415(6)(b). The State has the burden to prove grounds by clear and convincing evidence. *St. Croix Cnty. DHHS v. Michael D.*, 2016 WI 35, ¶28, 368 Wis. 2d 170, 880 N.W.2d 107.

At the prove-up, the State called N.G.-R’s case manager as a witness. She testified that F.A.G.-C. was not involved in the daily care for N.G.-R., had never participated in N.G.-R.’s schooling, had never been to any medical appointments for N.G.-R., and had no visitation schedule with N.G.-R. The case manager further testified that there was no good reason for

F.A.G.-C.'s lack of involvement. This court is satisfied that there would be no arguable merit to an argument that the evidence was insufficient to support the circuit court's findings as to the failure to assume parental responsibility ground for termination of F.A.G.-C.'s parental rights.

The no-merit report also discusses whether there would be any arguable merit to challenging the circuit court's decision to terminate F.A.G.-C.'s parental rights at the conclusion of the dispositional phase of the proceedings. "The ultimate decision whether to terminate parental rights is discretionary." *Gerald O. v. Cindy R.*, 203 Wis. 2d 148, 152, 551 N.W.2d 855 (Ct. App. 1996). In this case, the circuit court heard testimony at the dispositional hearing from N.G.-R.'s case manager and F.A.G.-C. In rendering its decision, the circuit court considered the statutory factors set forth in WIS. STAT. § 48.426(3), and concluded that termination of F.A.G.-C.'s parental rights to N.G.-R. was in the child's best interests. Having reviewed the record, this court agrees with counsel that a challenge to the circuit court's exercise of discretion as to disposition would lack arguable merit.

Finally, there is nothing in the no-merit report or the record to suggest that F.A.G.-C.'s plea colloquy was defective or that his plea was not voluntary, knowing, and intelligent. *See B.W.*, 412 Wis. 2d 364, ¶¶52-53; *State v. Bangert*, 131 Wis. 2d 246, 265-66, 389 N.W.2d 12 (1986). Nor is there anything to suggest that trial counsel rendered ineffective assistance of counsel in representing F.A.G.-C.

Upon an independent review of the record, this court has determined that there is no arguable basis for reversing the order terminating F.A.G.-C.'s parental rights. This court concludes that any further appellate proceedings would be wholly frivolous within the meaning of *Anders* and WIS. STAT. RULE 809.32.

Therefore,

IT IS ORDERED that the circuit court's order is summarily affirmed. *See* WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that Attorney Jill Marie Skwor is relieved of any further representation of F.A.G.-C. in this matter.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals