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DISTRICT III

December 23, 2025

To:

Hon. Suzanne C. O'Neill
Circuit Court Judge
Electronic Notice

Kelly Schremp
Clerk of Circuit Court
Marathon County Courthouse
Electronic Notice

John Blimling
Electronic Notice

George Tauscheck
Electronic Notice

Roderick H. Schultz 166218
New Lisbon Correctional Inst.
P.O. Box 2000
New Lisbon, WI 53950-2000

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

2024AP899-CRNM State of Wisconsin v. Roderick H. Schultz (L. C. No. 2021CF888)

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).

Roderick Schultz appeals from a judgment convicting him, upon his no-contest plea, of first-degree reckless homicide by delivery of drugs, as a repeat offender. Attorney George Tauscheck has filed a no-merit report seeking to withdraw as Schultz's appellate counsel. *See* WIS. STAT. RULE 809.32 (2023-24).¹ The no-merit report sets forth the procedural history of the case and addresses the validity of Schultz's plea and sentence. Schultz was informed of his right

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

to respond to the no-merit report, but he has not filed a response. Having independently reviewed the entire record as mandated by *Anders v. California*, 386 U.S. 738, 744 (1967), we conclude that there are no arguably meritorious issues for appeal.

Following a preliminary hearing, the State filed an information charging Schultz with two counts of first-degree reckless homicide by delivery of drugs and one count of possession of drug paraphernalia, each as a repeat offender. The charges were based upon allegations from a confidential informant (supported by phone records, other witness statements, and drug evidence seized by warrant) that Schultz had supplied the heroin that led to the overdose deaths of Schultz's son and a female friend of Schultz.

Schultz agreed to plead no contest to one of the reckless homicide charges in exchange for the dismissal as read-in offenses of the other reckless homicide charge, the drug paraphernalia charge, and a bail jumping charge in another case. The circuit court accepted Schultz's plea after conducting a plea colloquy, reviewing Schultz's signed plea questionnaire, and ascertaining that there was a factual basis to support the plea.

The circuit court ordered a presentence investigation report and subsequently held a sentencing hearing. After hearing from the parties and several family members of Schultz and the victims, the court discussed factors related to the severity of the offenses and Schultz's character, and it explained how they related to the court's stated sentencing goals of protection of the public, deterrence, and the punishment and rehabilitation of Schultz. The court then sentenced Schultz to nine years' initial confinement followed by nine years' extended supervision. The court awarded 71 days of sentence credit, as stipulated by the parties.

Upon reviewing the record, we agree with counsel's conclusion that Schultz has no arguably meritorious basis to challenge his plea or his sentence. The circuit court conducted an adequate plea colloquy, and Schultz does not assert that he misunderstood the charge or his rights. The sentence imposed was well within the maximum available penalty and was not unduly harsh, given that two people had died from heroin supplied by Schultz.

Our independent review of the record discloses no other potential issues for appeal. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of *Anders*. Accordingly, counsel shall be allowed to withdraw, and the judgment of conviction will be summarily affirmed. *See* WIS. STAT. RULE 809.21.

Upon the foregoing,

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

IT IS FURTHER ORDERED that Attorney George Tauscheck is relieved of any further representation of Roderick Schultz in this matter pursuant to 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