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DISTRICT II

February 4, 2026

To:

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Circuit Court Judge
Electronic Notice

Monica Paz
Clerk of Circuit Court
Waukesha County Courthouse
Electronic Notice

John Blimling
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Miguel A. Robles Jr. #325914
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Waupun, WI 53963-0351

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

2025AP603-CRNM State of Wisconsin v. Miguel A. Robles, Jr. (L.C. #2023CF729)

Before Neubauer, P.J., Gundrum, 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).

Miguel A. Robles, Jr., appeals from a judgment of conviction entered upon his plea of no contest to one count of delivery of methamphetamine as party to a crime (PTAC). His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2023-24),[1] and ***Anders v. California***, 386 U.S. 738 (1967). Robles received a copy of the report, was advised of his right to file a response, sought and was granted an extension by this court to consider whether to file a response, and has elected not to do so. Upon consideration of the report and an independent

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

review of the record, we conclude there are no issues with arguable merit for appeal. We summarily affirm. *See* WIS. STAT. RULE 809.21.

After police conducted audio and video surveillance of a confidential informant (CI) purchasing $1,050 worth of methamphetamine from Robles and another individual, the State charged Robles with delivery of methamphetamine in an amount of more than 10 grams but not more than 50 grams, PTAC. The police had provided the CI with the money for the drug buy, and the substance that the CI returned to the police after meeting with Robles weighed approximately 27 grams and tested positive for the presence of methamphetamine.

Pursuant to an agreement with the State, Robles entered a plea of no contest to one count of delivery of methamphetamine, as set forth above. The circuit court accepted the plea and found Robles guilty of the sole count. The parties jointly recommended that Robles be sentenced to a two and one-half-year prison sentence comprised of one year of initial confinement followed by one and one-half years of extended supervision. The court followed the joint recommendation and imposed the requested sentence. It also honored Robles' request to be made eligible for substance abuse programming while incarcerated. This no-merit appeal follows.

We agree with appellate counsel's thorough analysis of the facts and legal principles pertinent to this appeal and conclude that there would be no arguable basis on which an appeal of Robles' conviction or sentence could rest. First, we see no arguable basis for plea withdrawal. In order to withdraw a plea after sentencing, a defendant either must show that the plea colloquy was defective in a manner that resulted in the defendant entering an unknowing plea or demonstrate some other manifest injustice such as coercion, lack of a factual basis to support the

charge, ineffective assistance of counsel, or failure by the prosecutor to fulfill the plea agreement. ***State v. Bangert***, 131 Wis. 2d 246, 272-76, 389 N.W.2d 12 (1986); ***State v. Krieger***, 163 Wis. 2d 241, 249-51 & n.6, 471 N.W.2d 599 (Ct. App. 1991). There is no evidence of any such defect here.

As we have noted, Robles entered a plea of no contest to one count of delivery of methamphetamine, PTAC. The circuit court conducted a standard plea colloquy, inquiring into Robles' ability to understand the proceedings, the voluntariness of his plea decision, his understanding of the nature of the charge, the penalty range and other direct consequences of the plea, and the constitutional rights being waived. *See* ***State v. Hoppe***, 2009 WI 41, ¶18, 317 Wis. 2d 161, 765 N.W.2d 794; ***Bangert***, 131 Wis. 2d at 266-72. The court ensured that Robles understood it would not be bound by any sentencing recommendations. In addition, Robles provided the court with a written plea questionnaire. Robles signed the form and told the court he understood the information it explains; he is not now claiming otherwise. *See* ***State v. Moederndorfer***, 141 Wis. 2d 823, 827-28, 416 N.W.2d 627 (Ct. App. 1987).

The report also states there would be no arguable merit to a claim that there was an insufficient factual basis on which to convict Robles of the offense charged. Robles' counsel stated during the colloquy that there was a factual basis for the plea, and there is nothing in the record or the no-merit report that leads us to conclude otherwise. In addition, Robles indicated satisfaction with his attorney and nothing in our review of the record would support a claim of ineffective assistance of trial counsel. Robles has not alleged any other facts that would give rise to a manifest injustice. Therefore, the plea was valid and operated to waive all nonjurisdictional

defects and defenses, aside from any suppression ruling.[2] *See* ***State v. Kelty***, 2006 WI 101, ¶18, 294 Wis. 2d 62, 716 N.W.2d 886.

There also is no arguable merit to a claim that the circuit court improperly exercised its sentencing discretion. In imposing its sentence, the court explicitly considered the seriousness of the offense, Robles' character, and the need to protect the public. *See* ***State v. Gallion***, 2004 WI 42, ¶¶27, 40-44, 270 Wis. 2d 535, 678 N.W.2d 197. Robles had the opportunity to address the court directly, which he declined to do because he felt that trial counsel already had spoken well on his behalf. Finally, the court imposed the precise sentence the parties jointly recommended and accepted trial counsel's request to make Robles eligible for early release through substance abuse programming. As the report notes, "[b]ecause [Robles] affirmatively approved the sentence, he cannot attack it on appeal." *See* ***State v. Scherreiks***, 153 Wis. 2d 510, 518, 451 N.W.2d 759 (Ct. App. 1989).

Conviction for delivery of methamphetamine in the amount charged here carries a maximum sentence of 25 years of imprisonment and a fine of up to a $100,000, s*ee* WIS. STAT. §§ 961.41(1)(e)3. (classifying delivery of methamphetamine (10-50 grams) as a Class D felony), 939.50(3)(d) (providing maximum penalties for a Class D felony). The circuit court imposed a sentence of two and one-half years comprised of one year of initial confinement followed by one and one-half years of extended supervision. Under these circumstances, it cannot reasonably be

[2] Although Robles did not file any suppression motions, after the State indicated it did not intend to produce the confidential informant (CI) for Robles' trial, Robles filed a motion in limine seeking to exclude all evidence obtained by or from the CI as violative of Robles' rights under the Confrontation Clause. As the report correctly notes, however, Robles "waive[d] all nonjurisdictional defects, including constitutional claims," by pleading no contest. *See* ***State v. Kelty***, 2006 WI 101, ¶18, 294 Wis. 2d 62, 716 N.W.2d 886 (citation omitted).

argued that Robles' sentence is so excessive as to shock public sentiment. *See* ***Ocanas v. State***, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975).

Upon our independent review of the record, we see no other arguable basis for reversing the judgment of conviction. *See* ***State v. Allen***, 2010 WI 89, ¶¶81-82, 328 Wis. 2d 1, 786 N.W.2d 124. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of ***Anders*** and WIS. STAT. RULE 809.32.

Accordingly,

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

IT IS FURTHER ORDERED that Attorney Christina C. Starner is relieved from further representing Miguel A. Robles, Jr., in this appeal. *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