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DISTRICT II

February 5, 2014

To:

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

2013AP2662-CRNM State of Wisconsin v. Stephen J. Grimm (L.C. #2012CF567)

Before Neubauer, P.J., Reilly and Gundrum, JJ.

Stephen J. Grimm appeals from a judgment of conviction for second-degree sexual assault of a child. His appellate counsel has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2011-12),¹ and *Anders v. California*, 386 U.S. 738 (1967). Grimm 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 that the

¹ All references to the Wisconsin Statutes are to the 2011-12 version unless otherwise noted.

judgment may be summarily affirmed because there is no arguable merit to any issue that could be raised on appeal. *See WIS. STAT. RULE 809.21.*

The no-merit report addresses the potential issues of whether Grimm's no-contest plea was freely, voluntarily, and knowingly entered and whether the twelve-year sentence² was the result of an erroneous exercise of discretion or unduly harsh. These are the only potential issues for appeal and we are satisfied that the no-merit report properly analyzes the issues as without merit.

This court accepts the no-merit report, affirms the conviction and discharges appellate counsel of the obligation to represent Grimm further in this appeal.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Eileen A. Hirsch is relieved from further representing Stephen J. Grimm in this matter. *See WIS. STAT. RULE 809.32(3).*

*Diane M. Fremgen
Clerk of Court of Appeals*

² Grimm was sentenced to six years' initial confinement and six years' extended supervision.