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**DISTRICT II**

March 11, 2026

To:

Hon. Steven M. Cain  
Circuit Court Judge  
Electronic Notice

Antonella Aleman-Zientek  
Electronic Notice

Connie Mueller  
Clerk of Circuit Court  
Ozaukee County Justice Center  
Electronic Notice

Will Straube  
Electronic Notice

Troy Allen Keys  
541 Clement Street, Apt 4  
Green Bay, WI 54302

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

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2025AP2163-CRNM      State of Wisconsin v. Troy Allen Keys (L.C. #2022CF412)

Before Grogan, J.<sup>1</sup>

**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).**

Troy Allen Keys appeals a judgment of conviction, entered following his guilty pleas, for operating while intoxicated as a third offense and operating after revocation. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 and *Anders v. California*, 386 U.S. 738 (1967). Keys was advised of his right to file a response and has not responded. After reviewing the Record and counsel's report, we conclude that there are no issues with

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

arguable merit for appeal. Therefore, we summarily affirm the judgment. *See* WIS. STAT. RULE 809.21.

According to a criminal complaint, at 3:24 a.m. on the interstate, an officer observed a vehicle deviate several times from its lane and cross the fog line. The vehicle then cut off a semi-truck and abruptly exited the interstate. The officer stopped the vehicle, and Keys was driving. Keys' eyes were glossy, his speech was slurred, he fumbled with his wallet, and it took him several minutes to locate his identification. The officer checked Keys' record and learned that Keys' driver's license was revoked and he was subject to an ignition interlock order. There was no ignition interlock device on his vehicle. Keys exhibited signs of impairment on field sobriety tests, and the officer arrested him. The officer found a substance that field-tested positive for THC in Keys' vehicle. The State charged Keys with operating while intoxicated as a third offense, possession of THC as a second and subsequent offense, operating after revocation, failure to install an ignition interlock device, and operating with a prohibited alcohol concentration as a third offense.

Pursuant to a plea agreement, Keys pled to operating while intoxicated as a third offense and operating after revocation. The other charges were dismissed and read in, and the operating-with-a-prohibited-alcohol-concentration charge was dismissed outright. The court sentenced Keys to 120 days' jail on the operating-while-intoxicated charge and 10 days' jail on the operating-after-revocation charge. This no-merit appeal follows.

The no-merit report addresses potential issues of whether Keys' pleas were knowingly, voluntarily, and intelligently entered and whether the circuit court properly exercised its discretion at sentencing.

With regard to the circuit court’s plea colloquy, appellate counsel points out that the court did not expressly inform Keys that it was not bound by the plea agreement. However, counsel advises this court that there is no merit to seek plea withdrawal on this basis because “based on conversations with Mr. Keys, undersigned counsel cannot assert that Mr. Keys did not understand this fact.” We agree with counsel that there is no arguable merit to seek plea withdrawal on this basis. *See State v. Brown*, 2006 WI 100, ¶39, 293 Wis. 2d 594, 716 N.W.2d 906 (motion for plea withdrawal based on plea colloquy deficiency must “allege that the defendant did not know or understand the information that should have been provided at the plea hearing.” ).

The remainder of the court’s plea colloquy sufficiently complied with the requirements of *Brown*, 293 Wis. 2d 594, ¶35, and WIS. STAT. § 971.08 relating to the nature of the charge, the rights Keys was waiving, and other matters. The Record shows no other ground to withdraw the pleas. We therefore agree with counsel’s analysis and conclusion that any challenge to the validity of Keys’ pleas would lack arguable merit.

With regard to the circuit court’s sentencing discretion, our review of the Record confirms that the court appropriately considered the relevant sentencing objectives and factors. *See State v. Odom*, 2006 WI App 145, ¶7, 294 Wis. 2d 844, 720 N.W.2d 695; *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76. The resulting sentence was within the maximum authorized by law. *See State v. Scaccio*, 2000 WI App 265, ¶18, 240 Wis. 2d 95, 622 N.W.2d 449. The sentence was not so excessive so as to shock the public’s sentiment. *See Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975). Therefore, there would be no arguable merit to a challenge to the court’s sentencing discretion.

Our independent review of the Record discloses no other potential issues for appeal. This court accepts the no-merit report, affirms the judgment of conviction, and discharges appellate counsel of the obligation to represent Keys further in this appeal.

Upon the foregoing reasons,

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 Will Straube is relieved of further representation of Troy Allen Keys in this appeal. *See* WIS. STAT. RULE 809.32(3).

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

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*Samuel A. Christensen*  
*Clerk of Court of Appeals*