



OFFICE OF THE CLERK  
**WISCONSIN COURT OF APPEALS**

110 EAST MAIN STREET, SUITE 215  
P.O. BOX 1688  
MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880  
TTY: (800) 947-3529  
Facsimile (608) 267-0640  
Web Site: [www.wicourts.gov](http://www.wicourts.gov)

**DISTRICT IV**

March 12, 2026

To:

Hon. Mario White  
Circuit Court Judge  
Electronic Notice

Kathleen Henry  
Electronic Notice

Jeff Okazaki  
Clerk of Circuit Court  
Dane County Courthouse  
Electronic Notice

Robin Woongho Lee  
Electronic Notice

Abigail Potts  
Electronic Notice

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

---

2024AP2053-CR	State of Wisconsin v. JB Richmond, Jr. (L.C. # 2020CM1831)
2024AP2054-CR	State of Wisconsin v. JB Richmond, Jr. (L.C. # 2021CF1075)

Before Blanchard, Nashold, and Taylor, 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).**

JB Richmond, Jr., appeals judgments of conviction and orders denying his postconviction motions for sentence modification. Based on our review of the briefs and records, we conclude at conference that these cases are appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2023-24).<sup>1</sup> Because Richmond has not established that the circuit court erroneously exercised its discretion in either sentencing Richmond or in denying Richmond's postconviction motions for sentence modification, we summarily affirm.

---

<sup>1</sup> All references to the Wisconsin Statutes are to the 2023-24 version.

These appeals concern two circuit court criminal cases that were resolved pursuant to a global plea agreement.<sup>2</sup> In Dane County Circuit Court Case No. 2020CM1831, Richmond pled guilty to a misdemeanor offense of intimidation of a victim and was sentenced to six months of imprisonment to be served concurrently with the sentence imposed in the felony case, Dane County Circuit Court Case No. 2021CF1075. Richmond does not challenge his conviction or concurrent sentence for that misdemeanor; therefore, we summarily affirm that judgment and order without further discussion. The remainder of this order addresses Richmond's arguments relating to his felony case.

The criminal complaint alleged that while traveling along the Beltline Highway in Madison during the noon hour, Richmond drove up next to another vehicle and discharged a firearm into that vehicle seven times. Inside the other vehicle were two individuals, referred to in this opinion as A.B. and C.D. C.D. suffered multiple gunshot wounds as a result of Richmond's discharge of the firearm. Richmond was charged with three felonies in connection with that incident.

Richmond pled guilty to one count of first-degree recklessly endangering safety, in violation of WIS. STAT. § 941.30(1), and one count of felon in possession of a firearm, in violation of WIS. STAT. § 941.29(1m)(a). An additional count of first-degree recklessly endangering safety was dismissed and read in for sentencing purposes.

---

<sup>2</sup> These appeals were consolidated for briefing and disposition by an order of this court dated January 29, 2025. *See* WIS. STAT. RULE 809.10(3).

At sentencing, the circuit court heard victim impact statements from A.B., A.B.'s father, and C.D.'s mother. The court also heard sentencing arguments from the prosecutor and a statement from Richmond, who represented himself after his trial counsel was permitted to withdraw.

On the recklessly endangering safety count, the circuit court imposed a ten-year bifurcated sentence, consisting of seven and a half years of initial confinement and two and a half years of extended supervision. On the possession of a firearm count, the court imposed a seven-year bifurcated sentence, consisting of five years of initial confinement and two years of extended supervision. The court ordered that the sentences be served consecutively to each other. These were the same sentences that were recommended by the State. The Department of Corrections also recommended a prison sentence in its presentence investigation report.

Richmond, through counsel, filed a postconviction motion for sentence modification, arguing that the circuit court erroneously exercised its discretion because it imposed unduly harsh sentences.<sup>3</sup> The court denied Richmond's motion.

On appeal, Richmond renews his argument that his sentences are unduly harsh and argues that the circuit court therefore erroneously exercised its discretion in denying his motion for sentence modification. Richmond asserts the following in support of his arguments: (1) the sentences imposed the maximum term of initial confinement allowed by law; (2) the court

---

<sup>3</sup> Richmond simultaneously filed an identical postconviction motion for sentence modification in Dane County Circuit Court Case No. 2020CM1831. That motion formed the basis of his Appeal No. 2024AP2053-CR, which we summarily affirmed earlier in this order.

ordered the sentences to be served consecutively to each other; (3) when Richmond is released from prison, he will be in his forties; (4) Richmond showed remorse at sentencing and apologized to the victims and their families; (5) Richmond stopped hanging around with a person who he says was a bad influence; (6) Richmond lacked a father figure at certain times in his life and wants to be a good father to his own son; (7) Richmond received death threats and was afraid on the day of the shooting;<sup>4</sup> and (8) Richmond received no helpful treatment programs in the past to help with his needs, and the presentence investigation report stated that, if the court ordered probation, the Department could provide supervision and treatment programs in an attempt to help Richmond turn his life around.

We review a circuit court’s sentencing determination for an erroneous exercise of discretion. *State v. Gallion*, 2004 WI 42, ¶17, 270 Wis. 2d 535, 678 N.W.2d 197. “In exercising discretion, sentencing courts must individualize the sentence to the defendant based on the facts of the case by identifying the most relevant factors and explaining how the sentence imposed furthers the sentencing objectives.” *State v. Harris*, 2010 WI 79, ¶29, 326 Wis. 2d 685, 786 N.W.2d 409. In determining a sentence, the circuit court must consider the protection of the public, the gravity of the offense, the rehabilitative needs of the defendant, and any applicable mitigating or aggravating factors. WIS. STAT. § 973.017(2); *see also Gallion*, 270 Wis. 2d 535, ¶40.

---

<sup>4</sup> Richmond said at sentencing that the death threats were made by “people from Chicago”; he did not allege that the threats were made by either A.B., C.D., or anyone associated with them.

A circuit court’s sentencing decisions “‘are generally afforded a strong presumption of reasonability because the circuit court is best suited to consider the relevant factors and demeanor of the convicted defendant.’” *Gallion*, 270 Wis. 2d 535, ¶18 (quoted source omitted). The defendant has the burden to show unreasonableness from the record. *State v. Haskins*, 139 Wis. 2d 257, 268, 407 N.W.2d 309 (Ct. App. 1987). We may “‘search the record for reasons to sustain’” the court’s exercise of sentencing discretion. *State v. Gayton*, 2016 WI 58, ¶20, 370 Wis. 2d 264, 882 N.W.2d 459 (quoted source omitted).

A circuit court erroneously exercises its sentencing discretion if it imposes an unduly harsh or unconscionable sentence. *See Haskins*, 139 Wis. 2d at 268. A sentence is unduly harsh or unconscionable only if it is “‘so excessive and unusual and so disproportionate to the offense committed as to shock public sentiment and violate the judgment of reasonable people concerning what is right and proper under the circumstances.’” *State v. Cummings*, 2014 WI 88, ¶72, 357 Wis. 2d 1, 850 N.W.2d 915 (quoted source omitted). “‘A sentence well within’ the statutory limits is unlikely” to be considered unduly harsh or unconscionable. *Id.*, ¶74 (quoted source omitted). “Near maximum sentences are not . . . automatically suspect.” *Id.*

Richmond has not met his burden of showing that his sentences are unduly harsh. In sentencing Richmond, the circuit court appropriately considered the protection of the public, the gravity of the offenses, the rehabilitative needs of the defendant, and applicable mitigating and aggravating factors.

In discussing the gravity of the offenses and the protection of the public, the circuit court noted the inherent danger in shooting at a car on the Beltline Highway in the middle of the day for no apparent rational reason, and the profound impact that Richmond’s actions had on the

victims' families, as reflected in their victim impact statements at sentencing. The court observed that Richmond's decision "to react with this level of violence" because he may have been "temporarily inconvenienced on the road" is "completely unacceptable" and "not how we handle ourselves in a civilized world." The court considered Richmond's felony possession of a firearm particularly egregious because Richmond not only criminally possessed the firearm, but used it, and shot at the car not once, but seven times. The court also referenced A.B.'s statement about having to see his best friend, C.D., bleeding in the car after being shot, which the court described as "tragic." Based on the photographs showing the impacts of the bullets, the court observed that "[i]t is by sheer luck that [C.D.] was not killed." Based on the court's determination that Richmond's conduct was a "truly random act of violence" and endangered countless other people on the highway, the court concluded that the need to protect the public was very high. As required, the court considered probation, but determined that probation would unduly depreciate the seriousness of the crime. The court remarked that the community needs to be safe, and that the sentences were the "minimum sentence necessary to protect the public."

In considering Richmond's character, the circuit court noted that Richmond had graduated from high school and had some employment. The court also observed that Richmond had a criminal record that involved violence and that within a month of entering a plea to the charges in these cases while out on bond, he was arrested for a new set of felonies involving drugs and a gun.

We conclude that the circuit court did not erroneously exercise its discretion in sentencing Richmond. The court considered relevant information, provided an adequate explanation for the sentences given, and imposed sentences that are within the statutory

maximums.<sup>5</sup> The reasons Richmond offers in support of his contention that the sentences were unduly harsh do not establish a basis for us to conclude that the sentences are “so excessive and unusual and so disproportionate to the offense[s] committed as to shock public sentiment and violate the judgment of reasonable people concerning what is right and proper under the circumstances.” See *Cummings*, 357 Wis. 2d 1, ¶72 (quoted source omitted). Richmond’s arguments do not overcome the presumption of the court’s reasonableness, particularly in light of the reasoning provided by the court. Because the court properly exercised its discretion in sentencing Richmond, the court’s denial of Richmond’s motion for sentence modification was also a proper exercise of discretion. See *State v. Grindemann*, 2002 WI App 106, ¶30, 255 Wis. 2d 632, 648 N.W.2d 507 (we review circuit court’s determination that sentence not unduly harsh for erroneous exercise of discretion).

Accordingly,

IT IS ORDERED that the judgments and orders of the circuit court are summarily affirmed. See WIS. STAT. RULE 809.21.

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

---

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

---

<sup>5</sup> The maximum sentence for recklessly endangering safety is a bifurcated sentence of twelve and a half years, consisting of seven and a half years of initial confinement and five years of extended supervision. See WIS. STAT. §§ 941.30(1), 973.01(2)(b)6m. and (2)(d)4. The maximum sentence for felon in possession of a firearm is a bifurcated sentence of ten years consisting of five years of initial confinement and five years of extended supervision. See WIS. STAT. §§ 941.29(1m)(a), 973.01(2)(b)7. and (2)(d)4.