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DISTRICT I

April 2, 2026

To:

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Circuit Court Judge
Electronic Notice

John Blimling
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Anna Hodges
Clerk of Circuit Court
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Timothy C. Drewa
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Omarion Deangelo Danielson 702204
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P.O. Box 19033
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You are hereby notified that the Court has entered the following opinion and order:

2025AP775-CRNM State of Wisconsin v. Omarion Deangelo Danielson
(L.C. # 2023CF44)

Before White, C.J., Colón, P.J., and Donald, J.

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).

Omarion Deangelo Danielson appeals a judgment of conviction entered upon his guilty plea to first-degree reckless homicide. His appellate counsel, Attorney Timothy C. Drewa, filed a no-merit report pursuant to *Anders v. California*, 386 U.S. 738 (1967), and WIS. STAT. RULE 809.32 (2023-24).¹ At our request, appellate counsel also filed a supplemental no-merit report addressing an aspect of the guilty plea colloquy. Danielson did not file a response. Upon consideration of the no-merit report, appellate counsel's supplemental filing, and an independent

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

review of the record as mandated by *Anders*, we conclude that no arguably meritorious issues exist for an appeal. Therefore, we summarily affirm. *See* WIS. STAT. RULE 809.21.

As detailed in the criminal complaint, Danielson was in a convenience store on December 24, 2022, and had an altercation with another person in the store. That person and his two companions left the store and got into a Nissan. As they began driving away, Danielson fired several shots at them. Danielson then joined his own companion in a separate vehicle and continued shooting, firing approximately ten shots towards the Nissan. A bullet struck S.T.-B. while she was driving her Acura with her seven-year-old son and her boyfriend as passengers.² S.T.-B. lost control of the Acura, which slid into another vehicle before coming to a stop near the intersection of West Greenfield Avenue and South Layton Boulevard in Milwaukee. S.T.-B. was pronounced dead at the scene. The State charged Danielson with first-degree reckless homicide and two counts of first-degree recklessly endangering safety.

Danielson quickly decided to resolve the case with a plea agreement. Pursuant to its terms, he pled guilty to first-degree reckless homicide. In exchange, the State moved to dismiss and read in the remaining two counts and agreed to recommend incarceration without specifying a proposed length for the sentence. The circuit court accepted Danielson's plea and the matter proceeded to a sentencing hearing, where Danielson faced a maximum 60-year term of imprisonment. *See* WIS. STAT. §§ 940.02(1), 939.50(3)(b) (2021-22). The circuit court imposed a 40-year term of imprisonment, bifurcated as 32 years of initial confinement and 8 years of

² Pursuant to the policy underlying WIS. STAT. RULE 809.86, we refer to the homicide victim by initials. Although homicide victims are excluded from the confidentiality rule set forth in RULE 809.86(4), we nonetheless apply the rule here to protect the privacy and dignity of S.T.-B's family and of the other two victims in this case. *See* RULE 809.86(5).

extended supervision. The circuit court granted Danielson the 168 days of sentence credit that he requested and, at a subsequent hearing, set restitution at zero. Danielson appeals.

In the no-merit report, appellate counsel first addressed whether Danielson could pursue an arguably meritorious claim for plea withdrawal on the ground that his guilty plea was not entered knowingly, intelligently, and voluntarily. *See State v. Bangert*, 131 Wis.2d 246, 257, 389 N.W.2d 12 (1986). We agree with appellate counsel that Danielson could not do so.

At the outset of the plea hearing, the circuit court established that Danielson was 18 years old and had completed the eleventh grade. The circuit court also established that Danielson had signed a plea questionnaire and waiver of rights form and addendum reflecting that he wished to plead guilty to first-degree reckless homicide. The circuit court then conducted a plea colloquy with Danielson. *See State v. Brown*, 2006 WI 100, ¶30, 293 Wis. 2d 594, 716 N.W.2d 906; *see also* WIS. STAT. § 971.08.

A circuit court must fulfill a variety of duties during a plea colloquy, including the duty to “[a]scertain whether any promises, agreements, or threats were made in connection with the defendant’s anticipated plea[.]” *Brown*, 293 Wis. 2d 594, ¶35. The circuit court did not satisfy that obligation here, and appellate counsel’s no-merit report did not address the omission. A defendant may seek plea withdrawal based on a deficient plea colloquy if the defendant both: (1) identifies a failure to satisfy a mandatory duty during the plea hearing; and (2) alleges that he or she did not know or understand the information that should have been provided at the hearing. *State v. Hampton*, 2004 WI 107, ¶46, 274 Wis. 2d 379, 683 N.W.2d 14. In light of *Brown* and *Hampton*, we directed appellate counsel to file a supplemental no-merit report further discussing why Danielson could not pursue an arguably meritorious claim for plea withdrawal.

Appellate counsel filed a supplemental no-merit report advising that he had conferred with Danielson, who stated that he did not receive any threats or improper promises in connection with his guilty plea. Counsel further advised that, because Danielson cannot allege that he was either threatened or promised anything outside of the plea agreement to induce his guilty plea, he cannot satisfy the second prong of a motion for plea withdrawal. *See Hampton*, 274 Wis. 2d 379, ¶46. In light of counsel’s advisements, we agree that Danielson cannot pursue an arguably meritorious claim for plea withdrawal on the ground that the circuit court did not establish on the record that no threats or promises were made in connection with the guilty plea.

Our independent review of the record confirms appellate counsel’s conclusion that the circuit court otherwise complied with its mandatory duties at the plea hearing; no further discussion of the plea colloquy is required here. We are satisfied that the record—including the plea questionnaire and waiver of rights form and addendum, the attached jury instructions, and the plea hearing transcript—considered in conjunction with appellate counsel’s supplemental no-merit filing, demonstrates that Danielson entered his guilty plea knowingly, intelligently, and voluntarily. *See* WIS. STAT. § 971.08; *see also Bangert*, 131 Wis. 2d at 266-72. Accordingly, we agree with appellate counsel that a challenge to the validity of Danielson’s guilty plea would lack arguable merit.

We also agree with appellate counsel that Danielson could not pursue an arguably meritorious challenge to the circuit court’s exercise of sentencing discretion. *See State v. Gallion*, 2004 WI 42, ¶17, 270 Wis. 2d 535, 678 N.W.2d 197. The circuit court indicated that punishment and deterrence were the primary sentencing goals, and the circuit court discussed the factors that it viewed as relevant to achieving those goals. *See id.*, ¶¶41-43. The circuit court’s discussion included the mandatory sentencing factors of “the gravity of the offense, the character

of the defendant, and the need to protect the public.” See *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76. The sentence imposed was well within the maximum allowed by law, see *State v. Scaccio*, 2000 WI App 265, ¶18, 240 Wis. 2d 95, 622 N.W.2d 449, and was not so excessive as to shock the public’s sentiment, see *Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975).

Our independent review of the record does not disclose any other potential issues warranting discussion. We conclude that further postconviction or appellate proceedings would be wholly frivolous within the meaning of *Anders* and WIS. STAT. RULE 809.32.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Timothy C. Drewa is relieved of any further representation of Omarion Deangelo Danielson. 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