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**DISTRICT III**

April 14, 2026

To:

Hon. Sarah M. Harless  
Circuit Court Judge  
Electronic Notice

Cherie Norberg  
Clerk of Circuit Court  
Eau Claire County Courthouse  
Electronic Notice

Thomas Brady Aquino  
Electronic Notice

John Blimling  
Electronic Notice

Thomas T. Hicks 556499  
Racine Correctional Institution  
2019 Wisconsin St.  
Sturtevant, WI 53177-1829

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

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2024AP1261-CRNM      State of Wisconsin v. Thomas T. Hicks (L. C. No. 2022CF85)

Before Stark, P.J., Hruz, and Gill, 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).**

Counsel for Thomas Hicks has filed a no-merit report pursuant to *Anders v. California*, 386 U.S. 738 (1967), and WIS. STAT. RULE 809.32 (2023-24),<sup>1</sup> concluding that no grounds exist to challenge Hicks's convictions for one count of arson, as a repeater and as an act of domestic abuse, and seven counts of second-degree recklessly endangering safety. Hicks was informed of his right to file a response to the no-merit report, and he has not responded. Upon consideration

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

of the no-merit report, and following an independent review of the record as mandated by *Anders*, we conclude that no arguably meritorious issues exist for an appeal. Therefore, we summarily affirm the judgment of conviction. *See* WIS. STAT. RULE 809.21.

The State charged Hicks with 7 counts of attempted first-degree intentional homicide, 7 counts of first-degree recklessly endangering safety, and 1 count of arson, with all 15 counts as a repeater and as acts of domestic abuse. The charges arose from allegations that, after a dispute with his wife, Hicks set fire to his house with seven occupants inside, including three children ages seven years old and younger. According to the complaint, the occupants of the home were sleeping in upstairs bedrooms when Hicks set fire to a bedroom downstairs. The complaint further alleged that Hicks did not wake any of the occupants after starting the fire because he assumed the smoke alarm would wake them.

In exchange for Hicks's guilty pleas to arson, as a repeater and as an act of domestic abuse, and seven amended counts of second-degree recklessly endangering safety, the State agreed to recommend that the circuit court dismiss and read in the remaining counts. The State also agreed to cap its sentence recommendation at 15 years of initial confinement. Although the State agreed that it would not oppose concurrent sentences for each of the reckless endangerment counts, it would argue that the arson sentence should be consecutive to the other sentences and that any sentences in this case should be consecutive to the sentence imposed after revocation of Hicks's extended supervision in a Lincoln County case. Out of a maximum total potential sentence of 116 years, the court imposed concurrent sentences resulting in an aggregate 25-year term, consisting of 15 years of initial confinement followed by 10 years of extended supervision, with the sentences to run consecutive to the Lincoln County sentence.

The no-merit report addresses whether Hicks knowingly, intelligently, and voluntarily entered his guilty pleas and whether the circuit court properly exercised its sentencing discretion. Upon reviewing the record, we agree with counsel’s analysis and conclusion that there is no arguable merit to either of these issues. The no-merit report sets forth an adequate discussion of the potential issues to support the no-merit conclusion, and we need not address them further.

In addition to the issues discussed by counsel, we note that Hicks appeared by videoconference and waived the right to personally appear at the plea hearing following a colloquy. *See State v. Soto*, 2012 WI 93, ¶¶46-49, 343 Wis. 2d 43, 817 N.W.2d 848. Any challenge to the plea hearing based on Hicks’s appearance by videoconference would therefore lack arguable merit. Our independent review of the record discloses no other potential issue for appeal.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Thomas B. Aquino is relieved of his obligation to further represent Thomas Hicks in this matter. *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*