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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

DISTRICT II

May 13, 2026

To:

Hon. Sandra J. Giernoth
Circuit Court Judge
Electronic Notice

Sherry Coykendall
Clerk of Circuit Court
Washington County Courthouse
Electronic Notice

John Blimling
Electronic Notice

Timothy C. Drewa
Electronic Notice

Kendall Wayne Ludin #113286
Sanger Powers Correctional Center
P.O. Box 128
N8375 County Line Rd.
Oneida, WI 54155-9300

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

2026AP314-CRNM State of Wisconsin v. Kendall Wayne Ludin (L.C. #2023CF168)

Before Neubauer, P.J., Grogan, and Lazar, 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).

Kendall Wayne Ludin appeals from a judgment convicting him of operating with a prohibited alcohol concentration as a sixth offense. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2023-24)¹ and *Anders v. California*, 386 U.S. 738 (1967). Ludin 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

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

conclude there are no issues with arguable merit for appeal. Therefore, we summarily affirm the judgment. *See* WIS. STAT. RULE 809.21.

Ludin was convicted following a guilty plea to operating with a prohibited alcohol concentration as a sixth offense. A police officer found him outside his vehicle after it had run out of gas. Ludin smelled of intoxicants, admitted to both drinking and driving earlier, and performed poorly on field sobriety tests. A consensual blood draw revealed a prohibited alcohol concentration greater than 0.02. Ultimately, the circuit court sentenced Ludin to four years of initial confinement and five years of extended supervision, along with a \$3,058 fine. This no-merit appeal follows.

The no-merit report addresses whether Ludin’s plea was knowingly, voluntarily, and intelligently entered, and whether the circuit court properly exercised its discretion at sentencing. This court is satisfied that the no-merit report correctly analyzes the issues it raises as without merit, and we will not discuss them further.

Our review of the record discloses no other potential issues for appeal.² Accordingly, this court accepts the no-merit report, affirms the judgment of conviction, and discharges appellate counsel of the obligation to represent Ludin further in this appeal.

² Ludin’s plea forfeited the right to raise other nonjurisdictional defects and defenses, including claimed violations of constitutional rights. *See State v. Kelty*, 2006 WI 101, ¶18 & n.11, 294 Wis. 2d 62, 716 N.W.2d 886; *see also State v. Lasky*, 2002 WI App 126, ¶11, 254 Wis. 2d 789, 646 N.W.2d 53.

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 Timothy C. Drewa is relieved of further representation of Kendall Wayne Ludin in this appeal. *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