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DISTRICT I

June 9, 2026

To:

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Circuit Court Judge
Electronic Notice

Anna Hodges
Clerk of Circuit Court
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You are hereby notified that the Court has entered the following opinion and order:

2025AP1772-CRNM State of Wisconsin v. Drelon Lamont Hill (L.C. # 2020CF650)

Before Colón, P.J., Geenen, and Petrashek, 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).

Drelon Lamont Hill appeals a judgment of conviction entered after he pled no contest to first-degree sexual assault of a child younger than 13 years of age. His appellate counsel, Attorney Jill Marie Skwor, filed a no-merit report pursuant to ***Anders v. California***, 386 U.S. 738 (1967), and WIS. STAT. RULE 809.32 (2023-24).[1] Hill did not file a response. Upon consideration of the no-merit report and an independent review of the record as mandated by

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

Anders, we conclude that no arguably meritorious issues exist for an appeal. Therefore, we summarily affirm. *See* WIS. STAT. RULE 809.21.

We take the facts from the criminal complaint. In February 2020, when A.M.J. was eleven years old, she reported to an investigator that she had been sexually assaulted by Hill when he was her mother's live-in boyfriend. A.M.J. said that when she was nine years old, Hill would call her into his bedroom while her mother was out of the house. On some occasions, he would then get on top of her and "grind." On other occasions, he would order her to "suck his dick," or he would put his "dick" inside of her "private." A.M.J. reported that the assaults occurred approximately six times in the "old house" on Milwaukee's North Mariner Street and that the assaults occurred approximately ten more times in the family's new home on North 64th Street.

Police interviewed A.M.J.'s mother, A.S.J. She told police that she and Hill had ended their relationship, but in January 2020 they discussed the possibility of Hill moving back in with the family. When A.S.J. revealed this possible reconciliation to her daughters A.M.J. and S.M.K., A.M.J. began to cry. A.M.J. said that she did not want Hill to come back because he "has been touching her and making her suck his dick." S.M.K., who was two years older than A.M.J., told police that every time their mother would leave the home, Hill would call A.M.J. to the bedroom, and when she came out, she would have snacks and money. The State charged Hill with one count of first-degree sexual assault of a child younger than 12 years old in violation of WIS. STAT. § 948.02(1)(b) (2017-18), an offense carrying a 60-year maximum term of imprisonment and a mandatory minimum of 25 years of initial confinement. *See* WIS. STAT. §§ 939.50(3)(b), 939.616(1r) (2017-18).

On the day set for trial, Hill decided to resolve the case with a plea agreement. Pursuant to its terms, the State amended the charge against him to first-degree sexual assault of a child under 13 years old in violation of WIS. STAT. § 948.02(1)(e) (2017-18), which does not carry a mandatory minimum sentence. The State further agreed to recommend an eight-year term of initial confinement and to take no position as to the appropriate length of extended supervision. Finally, the State moved to dismiss and read in Milwaukee County Circuit Court Case No. 2020CF1081, in which the State had charged Hill with conspiracy to intimidate a victim. The circuit court accepted Hill's no-contest plea to the amended charge in the instant case, dismissed Case No. 2020CF1081, and set a sentencing date.

Hill next filed a motion on his own behalf requesting plea withdrawal. The circuit court denied the motion, and the case proceeded to sentencing. Hill faced a maximum term of 60 years of imprisonment. *See* WIS. STAT. §§ 948.02(1)(e), 939.50(3)(b) (2017-18). The court imposed a 20-year term of imprisonment bifurcated as 12 years of initial confinement and 8 years of extended supervision. The court awarded Hill the 634 days of sentence credit that he requested and ordered him to pay restitution of $2,050.98.

Hill, by counsel, filed an appeal under WIS. STAT. RULE 809.32, *see* ***State v. Hill***, No. 2023AP1415-CRNM, unpublished op. and order (WI App Feb. 5, 2025), then voluntarily dismissed that appeal to pursue postconviction relief from an order requiring him to pay the fees incurred by one of his appointed trial lawyers. The circuit court granted the postconviction motion. Hill now appeals from the judgment of conviction.

We first consider whether Hill could mount an arguably meritorious claim that the circuit court erred when it denied his presentence motion for plea withdrawal. We agree with appellate counsel that he could not do so.

The decision to permit plea withdrawal before sentencing rests in the circuit court's discretion. ***State v. Harvey***, 2006 WI App 26, ¶24, 289 Wis. 2d 222, 710 N.W.2d 482. We will sustain a discretionary decision "if the [circuit] court exercised its discretion in accordance with accepted legal standards and in accordance with the facts of record." ***State v. Seigel***, 163 Wis. 2d 871, 881-82, 472 N.W.2d 584 (Ct. App. 1991). In this case, Hill filed a plea withdrawal motion on his own behalf while he was represented by an attorney. That attorney subsequently withdrew and the state public defender's office appointed a new attorney for Hill. The new attorney advised the court that he had explored Hill's interest in plea withdrawal, reviewed Hill's allegations, and concluded that a motion for plea withdrawal lacked merit. The court then summarily denied the motion for plea withdrawal on the ground that Hill was represented by an attorney who did not support the motion. The court reasonably exercised its discretion by rejecting a motion that Hill filed on his own behalf: a defendant may not conduct his or her own defense while represented by counsel. *See* ***Moore v. State***, 83 Wis. 2d 285, 299, 265 N.W.2d 540 (1978). Further pursuit of this issue would lack arguable merit.

Appellate counsel also examines whether Hill could mount an arguably meritorious claim for plea withdrawal on the ground that the plea colloquy failed to demonstrate that Hill entered his no-contest plea 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 Hill could not pursue such a claim.

The circuit court established during the plea hearing that Hill was 44 years old and had a high school diploma. The court also established that Hill had signed a plea questionnaire and waiver of rights form and that he understood the contents of the form and its attachments. *See* ***State v. Pegeese***, 2019 WI 60, ¶37, 387 Wis. 2d 119, 928 N.W.2d 590. The court then conducted a thorough colloquy with Hill that complied with the court's obligations when accepting a plea other than not guilty. *See* ***id.***, ¶23; *see also* WIS. STAT. § 971.08. The record—including the plea questionnaire and waiver of rights form and addendum; the accompanying jury instructions describing the elements of the crime charged in the amended information; and the plea hearing transcript—show that Hill entered his no-contest plea knowingly, intelligently, and voluntarily. Further pursuit of this issue would lack arguable merit.

We also agree with appellate counsel that Hill 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 court indicated that punishment, deterrence, and protection of the community were the primary sentencing goals, and the court discussed the factors that it viewed as relevant to achieving those goals. *See* ***id.***, ¶¶41-43. The discussion included consideration of 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). Further pursuit of this issue would be frivolous within the meaning of ***Anders***.

We next consider whether Hill could mount an arguably meritorious challenge to the order that he pay restitution in the amount of $2,050.98. We conclude that he could not do so. The State filed a written restitution request with supporting documentation, and the prosecutor and A.S.J. further explained the basis for the request at the sentencing hearing. Hill did not object, thus stipulating to the restitution request. *See* ***State v. Leighton***, 2000 WI App 156, ¶¶55-56, 237 Wis. 2d 709, 616 N.W.2d 126; WIS. STAT. § 973.20(13)(c). A challenge to the restitution order therefore would be frivolous within the meaning of ***Anders***. *See* ***State v. Scherreiks***, 153 Wis. 2d 510, 518, 451 N.W.2d 759 (Ct. App. 1989) (holding that a defendant may not challenge on appeal a sentence that he or she affirmatively approved).

We next conclude that Hill could not mount an arguably meritorious challenge to the circuit court's order finding him ineligible for the challenge incarceration program and the Wisconsin substance abuse program. Hill was statutorily disqualified from participating in both programs. *See* WIS. STAT. §§ 302.045(2)(b), (c), 302.05(3)(a)1. Further pursuit of this issue would be frivolous within the meaning of ***Anders***.

Finally, we have considered whether Hill could pursue an arguably meritorious claim that the circuit court was biased against Hill and should have recused itself because Hill had named the judge in a federal lawsuit. We agree with appellate counsel that Hill could not do so.

WISCONSIN STAT. § 757.19(2)(a)-(f) describes six objective criteria requiring disqualification. ***State v. American TV & Appliance of Madison, Inc.***, 151 Wis. 2d 175, 181-82 & n.1, 443 N.W.2d 662 (1989). They do not include circumstances where a presiding judge has been named in the defendant's federal lawsuit, and therefore they do not provide arguably meritorious grounds for Hill to pursue postconviction relief. Section 757.19(2)(g) sets forth a

seventh, subjective criterion for recusal. ***American TV***, 151 Wis. 2d at 182. That provision requires disqualification if the judge determines "that, for any reason, he cannot, or it appears he cannot, act in an impartial manner." ***State v. Pinno***, 2014 WI 74, ¶93, 356 Wis. 2d 106, 850 N.W.2d 207 (citation modified). Determination of subjective bias under § 757.19(2)(g) is for the judge alone to decide. ***Pinno***, 356 Wis. 2d 106, ¶93. Here, at the outset of the sentencing proceeding, the circuit court stated that it had been unaware of Hill's federal lawsuit until Hill disclosed it moments before the proceeding began, and the court further stated that the disclosure had no impact on the court's view of Hill or the case. Because the court determined that it was not biased, Hill cannot show subjective bias under § 757.19(2)(g). *See* ***Pinno***, 356 Wis. 2d 106, ¶93. Accordingly, no arguably meritorious basis exists under § 757.19(2) to pursue a claim for wrongful refusal to recuse.

The Due Process Clause of the United States Constitution also requires an objective inquiry into judicial neutrality. ***Pinno***, 356 Wis. 2d 106, ¶94. The Due Process Clause, however, "demarks only the outer boundaries of judicial disqualifications." ***Id.*** (citation omitted). Absent extreme circumstances, a reviewing court may look to the code of judicial conduct, SCR ch. 60, to analyze the objective component of a recusal claim. *See* ***id.***

Here, Hill indicated at the sentencing hearing that, in his view, the judge had a conflict of interest requiring recusal because Hill had "file[d] a complaint in the federal courthouse." Our review satisfies us that Hill cannot make an arguably meritorious claim that such a filing

constitutes an extreme circumstance within the meaning of ***Pinno***.[2] Accordingly, we have reviewed SCR 60.04(4), which identifies circumstances that may require a judge's recusal. That rule, like WIS. STAT. § 757.19(2), does not include as grounds for recusal a defendant's complaint against the judge presiding in the defendant's criminal case. Moreover, "the mere fact that a party files a complaint against a judge is not sufficient to establish judicial bias." ***State v. McBride,*** 187 Wis. 2d 409, 418, 523 N.W.2d 106 (Ct. App. 1994). Further, nothing in the record, when coupled with the filing of a complaint, reveals an appearance of partiality or bias on the part of the judge. We observe that judicial rulings and ordinary admonishments normally will not provide grounds for a bias or partiality motion. ***Liteky v. United States***, 510 U.S. 540, 555-56 (1994). Further pursuit of this issue would be frivolous within the meaning of ***Anders***.

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.

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

[2] A circumstance sufficiently extreme as to create an unconstitutional risk of judicial bias is, e.g., a multimillion-dollar contribution to the judge's campaign from a person with a personal stake in the outcome of litigation before the judge. *See* ***State v. Pinno***, 2014 WI 74, ¶94, 356 Wis. 2d 106, 850 N.W.2d 207.

IT IS FURTHER ORDERED that Attorney Jill Marie Skwor is relieved of any further representation of Drelon Lamont Hill on 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