



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

DISTRICT I

June 23, 2026

To:

Hon. Jeffrey A. Wagner
Circuit Court Judge
Electronic Notice

John Blimling
Electronic Notice

Anna Hodges
Clerk of Circuit Court
Milwaukee County Safety Building
Electronic Notice

Olivia Garman
Electronic Notice

Deandre J. Bell 728406
Fox Lake Correctional Institution
W10237 Lake Emily Road
Fox Lake, WI 53933

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

2025AP865-CRNM State of Wisconsin v. Deandre J. Bell (L.C. # 2020CF883)

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).

Deandre J. Bell appeals a judgment convicting him of one count of homicide by the negligent handling of a dangerous weapon, and one count of second-degree reckless homicide. Appellate counsel, Olivia Garman, filed a no-merit report pursuant to *Anders v. California*, 386 U.S. 738 (1967), and WIS. STAT. RULE 809.32 (2023-24).¹ Bell received a copy of the report, was advised of his right to file a response, and has not responded. We have independently reviewed the record and the no-merit report as mandated by *Anders*. We conclude that there are

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

no issues of arguable merit that could be pursued on appeal. We therefore summarily affirm. *See* WIS. STAT. RULE 809.21.

On February 27, 2020, the State charged Bell with two counts of first-degree reckless homicide. The charges stemmed from the shooting deaths of Bell's sister and her girlfriend. Bell told police that he was the shooter, but claimed he was acting in self-defense. While the case was pending, Bell's counsel filed a witness list that named Conrad Svara as a "[u]se of force expert." The State moved to exclude Svara's testimony as inadmissible. Following a hearing and the consideration of additional written arguments, the circuit court found Svara's testimony inadmissible. Bell filed a petition for leave to appeal, which this court granted. This court issued a decision affirming the circuit court's order excluding Svara's testimony. *State v. Bell*, No. 2021AP2228-CR, unpublished slip op. (WI App July 11, 2023).

Ultimately, Bell pled guilty to amended charges of homicide by the negligent handling of a dangerous weapon and second-degree reckless homicide. The circuit court conducted a colloquy with Bell and accepted his pleas. The court sentenced Bell to four years' initial confinement and five years' extended supervision on the count of homicide by the negligent handling of a dangerous weapon. On the second-degree reckless homicide count, the court sentenced Bell to nine years' initial confinement and six years' extended supervision, with the sentences to run consecutively. The court also ordered 1,439 days of credit for time Bell served against the conviction for homicide by the negligent handling of a dangerous weapon. This no-merit appeal follows.

Appellate counsel's no-merit report addresses two issues: (1) whether Bell's pleas were knowing, intelligent, and voluntary; and (2) whether the circuit court properly exercised its sentencing discretion.

With regard to Bell's guilty pleas, our review of the record—including the plea questionnaire/waiver of rights form, the addendum, the jury instructions, and the plea hearing transcript—confirms that the circuit court complied with its obligations for taking guilty pleas, pursuant to WIS. STAT. § 971.08, *State v. Bangert*, 131 Wis. 2d 246, 261-62, 389 N.W.2d 12 (1986), and *State v. Brown*, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906. These obligations exist specifically to help ensure the validity of any plea. We thus agree with appellate counsel's conclusion in the no-merit report that there is no arguable merit to seeking plea withdrawal based on a claim that Bell's pleas were anything other than knowing, intelligent, and voluntary.²

With regard to the circuit court's sentencing decision, we note that sentencing is a matter for the circuit court's discretion. See *State v. Gallion*, 2004 WI 42, ¶17, 270 Wis. 2d 535, 678 N.W.2d 197. At sentencing, a court must consider the principal objectives of sentencing, including the protection of the community, the punishment and rehabilitation of the defendant, and deterrence to others. *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76. It must also determine which objective or objectives are of greatest importance. *Gallion*, 270 Wis. 2d 535, ¶41. In seeking to fulfill the sentencing objectives, the court should consider

² We note that during the plea colloquy, the circuit court failed to inform Bell that it was not bound by the terms of the plea agreement, as required under *State v. Hampton*, 2004 WI 107, ¶2, 274 Wis. 2d 379, 683 N.W.2d 14. However, Bell received the benefit of the plea agreement. Therefore, this defect in the colloquy does not present a manifest injustice warranting plea withdrawal. See *State v. Johnson*, 2012 WI App 21, ¶12, 339 Wis. 2d 421, 811 N.W.2d 441.

several primary factors, including the gravity of the offense, the character of the offender, and the protection of the public, and it may consider additional factors. *State v. Odom*, 2006 WI App 145, ¶7, 294 Wis. 2d 844, 720 N.W.2d 695. The weight to be given to each factor is committed to the court’s discretion. *Id.* Our review of the record confirms that the court appropriately considered the relevant sentencing objectives and factors. The resulting sentence was within the potential maximum authorized by law, *see State v. Scaccio*, 2000 WI App 265, ¶18, 240 Wis. 2d 95, 622 N.W.2d 449, and is not so excessive so 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 reveals no other potential issues of arguable merit.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Olivia Garman is relieved of further representation of Deandre J. Bell in this matter. *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