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**DISTRICT I**

June 30, 2026

To:

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

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2024AP2495-CR

State of Wisconsin v. Matthew Lee Morales (L.C. # 2018CF1813)

Before Donald, C.J., Colón, P.J., and Geenen, 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).**

Matthew Lee Morales appeals from an order of the circuit court that denied his fourth petition for conditional release. Based upon our review of the briefs and record, we conclude at conference that this case is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2023-24).<sup>1</sup> For the following reasons, we dismiss the appeal as moot.

This is not the first time Morales has appealed from a circuit court order denying a petition for conditional release. We take the relevant facts from our recent decision, which

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

reversed the circuit court’s decision denying a petition for conditional release that Morales filed in December 2021.

On April 15, 2018, Morales stabbed his mother’s sixty-five-year-old boyfriend, P.P., eleven times with a bayonet. According to the criminal complaint, the only thing Morales said during the attack was, “This is for Michael the Archangel.” When police arrived, P.P. was on the floor bleeding, Morales’s mother was screaming, and Morales was sitting calmly on the couch. The State charged Morales with one count of attempted first-degree intentional homicide by use of a dangerous weapon.

There was concern about Morales’s competency to stand trial; the circuit court ordered an evaluation. Dr. Jenna Niess diagnosed Morales with “Unspecified Schizophrenia Spectrum and Other Psychotic Disorder,” and Morales was deemed incompetent to stand trial. He was committed for treatment and restored to competency.

In October 2018, the State and Morales reached a plea agreement. Morales would enter a not-guilty-by-reason-of-mental-disease-or-defect (NGI) plea and plead guilty to the attempted homicide charge in the guilt phase while having a bench trial for the responsibility phase. *See State v. Fugere*, 2019 WI 33, ¶26, 386 Wis. 2d 76, 924 N.W.2d 469 (describing bifurcation of case upon NGI plea). The only evidence presented at the bench trial was Dr. Niess’s testimony about Morales’s hyper-religious, delusional thought process spurred by his schizophrenia. After Dr. Niess’s testimony, both parties agreed that Morales should be deemed NGI, and the circuit court so found. In March 2019, the court committed Morales to Mendota Mental Health Institute for twenty-five years.

Morales petitioned for conditional release in September 2019 and September 2020. *See* WIS. STAT. § 971.17(4). However, Morales withdrew each petition after the doctors evaluating him for those petitions concluded that Morales still posed a significant risk of harm to himself or the community.

Morales filed again for conditional release in December 2021.... After an evidentiary hearing ... the circuit court concluded that the State had met its burden and denied the release petition.

*See State v. Morales*, No. 2023AP1217-CR, unpublished op. and order at 1-3 (WI App Nov. 4, 2025).

Morales appealed from the circuit court’s decision. He also filed another petition for conditional release—his fourth—in March 2023. The circuit court again denied Morales’s petition. That is the petition which underlies this appeal. Prior to filing this appeal, however, Morales was conditionally released pursuant to his fifth petition, which he filed on July 10, 2024. The circuit court ordered conditional release on October 17, 2024. The circuit court approved the release plan on December 16, 2024. Despite his release, the appeal stemming from the circuit court’s denial of his December 2021 petition and this appeal remained pending.

Because Morales had been conditionally released during the pendency of this appeal, the State argues that Morales’s appeal is moot. Morales argues that the appeal is not moot pursuant to *Sauk County v. S.A.M.*, 2022 WI 46, 402 Wis. 2d 379, 975 N.W.2d 162, where the Wisconsin Supreme Court held that “a person’s mandatory liability for the cost of the care received during a recommitment is a collateral consequence that renders recommitment appeals not moot.” *Id.*, ¶24. In other words, Morales argues that the appeal is not moot because he could be held financially liable for the cost of the care he received between the denial of his fourth petition and the approval of his fifth petition.

After the parties filed their briefs in this appeal, we issued a decision in the appeal stemming from the circuit court’s denial of Morales’s December 2021 petition. We reversed the circuit court’s decision denying the December 2021 petition, stating that the court’s “decision as articulated fail[ed] to demonstrate any reasoning process or a proper balancing of relevant factors.” *Morales*, No. 2023AP1217-CR at 4. The State then filed a supplemental letter to this court, maintaining that Morales’s appeal was moot because the issue of Morales’s cost of care was resolved by our decision. We agree.

“Appellate courts generally decline to reach moot issues, and if all issues on appeal are moot, the appeal should be dismissed.” *Portage Cnty. v. J.W.K.*, 2019 WI 54, ¶12, 386 Wis. 2d 672, 927 N.W.2d 509. “An issue is moot when its resolution will have no practical effect on the underlying controversy.” *Id.*, ¶11 (citation omitted). “Mootness is a question of law” which we review independently. *Id.*, ¶10.

Based on our decision in *Morales*, No. 2023AP1217-CR, it follows that Morales cannot be held liable for any care he received after May 20, 2022—when the circuit court denied Morales’s December 2021 petition. The care that Morales received between the denial of his fourth petition for conditional release and the order granting his fifth petition occurred after May 20, 2022. As such, the “cost of care” collateral consequence that our supreme court identified in *S.A.M.* is not present here and resolution of this appeal “will have no practical effect on the underlying controversy.” *J.W.K.*, 386 Wis. 2d 672, ¶11 (citation omitted).

Therefore,

IT IS ORDERED that the appeal is dismissed as moot. *See* WIS. STAT. RULE 809.21.

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*