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DISTRICT II

July 1, 2026

To:

Hon. Gerad T. Dougville
Circuit Court Judge
Electronic Notice

Annice Kelly
Electronic Notice

Rebecca Matoska-Mentink
Clerk of Circuit Court
Kenosha County Courthouse
Electronic Notice

Dale L. Smith #244914
New Lisbon Correctional Inst.
P.O. Box 2000
New Lisbon, WI 53950-2000

John Blimling
Electronic Notice

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

2026AP224-CRNM	State of Wisconsin v. Dale L. Smith (L.C. #2024CF216)
2026AP225-CRNM	State of Wisconsin v. Dale L. Smith (L.C. #2024CF1050)

Before Neubauer, P.J., Gundrum, 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).

In these consolidated cases, Dale L. Smith appeals from judgments convicting him of several crimes. 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). Smith 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

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

the report and an independent review of the records, we conclude there are no issues with arguable merit for appeal. We summarily affirm the judgments. *See* WIS. STAT. RULE 809.21.

Smith entered guilty pleas to operating with a prohibited alcohol concentration as a fourth offense, possession of narcotic drugs, and felony bail jumping. The charges stemmed from two cases that were handled together in the circuit court. The court imposed an aggregate sentence of two years of initial confinement and two years of extended supervision. It also imposed a fine and costs totaling \$2,344.50. These no-merit appeals follow.

The no-merit report addresses whether Smith's pleas were 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 records discloses no other potential issues for appeal.² Accordingly, this court accepts the no-merit report, affirms the judgments of conviction, and discharges appellate counsel of the obligation to represent Smith further in these appeals.

Upon the foregoing reasons,

IT IS ORDERED that the judgments of the circuit court are summarily affirmed. *See* WIS. STAT. RULE 809.21.

² Smith's pleas 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.

IT IS FURTHER ORDERED that Attorney Annice Kelly is relieved of further representation of Dale L. Smith in these appeals. *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