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DISTRICT II

July 15, 2026

To:

Hon. Tricia L. Walker
Circuit Court Judge
Electronic Notice

Michael C. Sanders
Electronic Notice

Michelle Weber
Clerk of Circuit Court
Fond du Lac County Courthouse
Electronic Notice

Shachori J. Lee, #531080
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P.O. Box 3310
Oshkosh, WI 54903-3310

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

2025AP391-CR

State of Wisconsin v. Shachori J. Lee (L.C. #2023CF265)

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

Shachori J. Lee, pro se, appeals from orders of the circuit court denying his motions for additional sentence credit. Lee seeks 333 days of sentence credit on this Fond du Lac County case for the period from March 24, 2023 (the day he was detained on an extended supervision hold in his Washington County case) until February 20, 2024 (the day he completed his 11-month reconfinement sentence and was released to extended supervision in his Washington County case, and was released on bail in this case). Lee requested this additional sentence credit in the circuit court five times, including in one motion for reconsideration—all of which the court denied. 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).¹ We affirm.

The relevant procedural history, which is undisputed, is as follows. In 2019, Lee was convicted of possession of cocaine with intent to deliver in Washington County and was sentenced to three years of initial confinement and four years of extended supervision. He was released to extended supervision on December 20, 2022.

On March 24, 2023, Lee was arrested and charged with possession of cocaine with intent to deliver and possession of THC, as a second or subsequent offense, in Fond du Lac County. The Fond du Lac County case underlies this appeal.

On the same date he was arrested on the above-drug charges, Lee was placed on an extended supervision hold in his Washington County case, and his extended supervision in that case was revoked on September 1, 2023. Lee then was ordered reconfined in that case for 11 months, with sentence credit for the time he spent in jail from March 24, 2023, when he was arrested and jailed until he was returned to prison for reconfinement on September 18, 2023. Lee was later released to extended supervision. On the same day as that release, cash bail was given in his Fond du Lac County case.

Lee's extended supervision in the Washington County case was revoked again, this time on August 1, 2024. He then was reconfined for one year, two months, and thirteen days, with credit from April 13, 2024, until his return to prison on October 7, 2024.

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

Lee entered a guilty plea and was sentenced in the Fond du Lac County case a few days after his reconfinement. He pled to one amended count of possession with intent to deliver between 5 and 15 grams of cocaine, as a repeater. The circuit court imposed 22 months of initial confinement and 2 years of extended supervision, consecutive to any other sentence Lee was serving, with no sentence credit.

Lee moved the circuit court for sentence credit in this Fond du Lac County case from March 24, 2023, until February 20, 2024. The court denied Lee's motion. It reasoned that Lee received sentence credit for that period in his Washington County case and was not entitled to double credit. The court stated that if Lee could show that he did not receive the credit in his Washington County case, the court would grant the credit sought in his Fond du Lac County case.

Before filing this appeal, Lee repeated his request for the 333 days of credit four more times in the circuit court. The court denied Lee's requests, noting after the last one that Lee had filed five requests for the same sentence credit. Lee now appeals.

A defendant is entitled to sentence credit for all days spent in custody "in connection with the course of conduct for which sentence was imposed." WIS. STAT. § 973.155(1)(a). The defendant bears the burden of demonstrating both custody and its connection to the course of conduct. *State v. Carter*, 2010 WI 77, ¶11, 327 Wis. 2d 1, 785 N.W.2d 516. When consecutive sentences are imposed, however, "[c]redit is to be given on a day-for-day basis, which is not to be duplicatively credited to more than one of the sentences imposed to run consecutively." *State v. Boettcher*, 144 Wis. 2d 86, 87, 423 N.W.2d 533 (1988). A defendant is not entitled to

sentence credit for custody served in satisfaction of another unrelated sentence. ***State v. Lamar***, 2011 WI 50, ¶37 n.9, 334 Wis. 2d 536, 799 N.W.2d 758.

Lee’s arguments for sentence credit fail under these principles. As the State explains, the 333-day period for which Lee seeks credit in this case is actually two periods. The first runs from March 24, 2023 (when Lee was jailed after he was arrested on the Fond du Lac County case and simultaneously held on an extended supervision hold in his Washington County case) until September 18, 2023 (when he was reconfined in his Washington County case), which is 177 days. The second period runs from September 18, 2023, until February 20, 2024 (when he served his period of reconfinement until being released to extended supervision in his Washington County case and given bail in this Fond du Lac County case), which is 156 days.

As the circuit court observed, Lee received credit for the first 177 days on his reconfinement after the extended supervision hold in his Washington County case. Because the court ordered the sentences in the present case consecutive to “any other sentence,” Lee is not entitled to duplicate credit for that period. See ***Boettcher***, 144 Wis. 2d at 87, 92; ***State v. Jackson***, 2000 WI App 41, ¶19, 233 Wis. 2d 231, 607 N.W.2d 338.

Such is also the case for the 156-day period for which Lee seeks credit. Throughout this period, Lee was in prison serving his term of reconfinement in his Washington County case. He is not entitled to credit in this case for custody served in satisfaction of that unrelated sentence. See ***Lamar***, 334 Wis. 2d 536, ¶37 n.9.

In support of his argument that he is entitled to 333 days of credit, Lee cites ***State v. Floyd***, 2000 WI 14, 232 Wis. 2d 767, 606 N.W.2d 155. We conclude that case is readily distinguishable from Lee’s appeal because the custody credit in ***Floyd*** had not been applied to

any other sentence. Here, the custody periods at issue were already credited to the Washington County case. As noted, duplicate credit is not permitted.

For the foregoing reasons, we conclude Lee has not met his burden to demonstrate entitlement to additional sentence credit. See **Carter**, 327 Wis. 2d 1, ¶11. Accordingly, the circuit court properly denied his motions.

Therefore,

IT IS ORDERED that the orders of the circuit court are summarily affirmed pursuant to WIS. STAT. RULE 809.21.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals