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DISTRICT I

August 11, 2026

To:

Hon. Jean M. Kies
Circuit Court Judge
Electronic Notice

Mark S. Rosen
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Anna Hodges
Clerk of Circuit Court
Milwaukee County Safety Building
Electronic Notice

Michael C. Sanders
Electronic Notice

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

2025AP1052-CR

State of Wisconsin v. Latwaun Cuashan Hale (L.C. # 2020CF1338)

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).

Latwaun Cuashan Hale appeals a judgment of conviction entered after a jury found him guilty of first-degree intentional homicide and possessing a firearm while a felon. He raises a single issue: whether the evidence presented at trial was sufficient to support his conviction for first-degree intentional homicide in the shooting death of Josephine Taylor.¹ Based upon our review of the briefs and record, we conclude at conference that this case is appropriate for

¹ A number of witnesses in this case were also arguably victims who survived the shooting incident. The parties to this appeal anonymized these witnesses in their briefs, and we do so as well. See WIS. STAT. RULE 809.86(3) (2023-24), WIS. STAT. § 950.02. All references to the Wisconsin Statutes are to the 2023-24 version.

summary disposition. See WIS. STAT. RULE 809.21. The trial evidence amply supported the jury's verdict. Therefore, we summarily affirm.

Whether evidence presented at trial was sufficient to sustain a guilty verdict is a question of law that we review independently. *State v. Smith*, 2012 WI 91, ¶24, 342 Wis. 2d 710, 817 N.W.2d 410. Our review is “highly deferential.” *State v. Kimbrough*, 2001 WI App 138, ¶12, 246 Wis. 2d 648, 630 N.W.2d 752. We may not substitute our judgment for that of the factfinder “unless the evidence, viewed most favorably to the [S]tate and the conviction, is so lacking in probative value and force that no trier of fact, acting reasonably, could have found guilt beyond a reasonable doubt.” *State v. Poellinger*, 153 Wis. 2d 493, 507, 451 N.W.2d 752 (1990). Accordingly, we must affirm a guilty verdict “[i]f any possibility exists that the trier of fact could have drawn the appropriate inferences from the evidence adduced at trial to find the requisite guilt[.]” See *id.*

In this case, Detective Margaret Devito testified that at 5:40 p.m. on March 29, 2020, she responded to a report of a shooting near the intersection of 21st and Wright Streets. Detective Devito found a woman, later identified as Taylor, lying on the Wright Street sidewalk with a gunshot wound visible on her face. Taylor was declared dead at the scene. Dr. Jessica Lelinski, an assistant medical examiner, testified that she conducted an autopsy on Taylor. Dr. Lelinski concluded that Taylor's cause of death was a gunshot wound to the head and that the gun was a few inches from Taylor when it was fired.

M.S.-A. testified that on March 29, 2020, she was in a white truck with Taylor, their friend M.W., and Taylor's boyfriend M.S.B., who was driving.² When M.S.B. stopped the truck near a corner store, Hale, whom M.S.-A. knew as "Twan," walked up to the driver's-side window and said "give me my money," or words to that effect. M.S.-A. testified that Hale had a nine-millimeter gun, and he "clutched [it] the whole time." M.S.B. began to drive away, but Hale "stepped back and cocked the gun back and ... immediately started shooting the car up." The truck crashed into a tree, and M.S.-A. said that she, Taylor, and M.W. all scrambled out.

M.S.-A. testified that she lost sight of M.W., but M.S.-A. and Taylor began running away from the truck. M.S.-A. said that she ran because she believed that Hale "was going to kill us next." She and Taylor reached an open area, and then she saw Hale getting out of a car. At that point, she and Taylor fled in opposite directions. M.S.-A. testified that Hale "could have offed and killed me" but he "did not shoot at" her. Instead, she testified, he "look[ed] at me dead in my face" and then "went to chase after" Taylor. Within "seconds," M.S.-A. heard Taylor say: "no, no. Stop. Wait," followed by a gunshot. M.S.-A. said that she then "just ke[pt] running." She made her way to the home of a relative, who called the police.

M.S.-A. testified that she did not see Hale shoot Taylor. However, M.S.-A. also testified that she did not "see anybody else out there with a gun.... Just him."

M.W. testified that he was riding in a white truck with Taylor, M.S.B., and M.S.-A. when M.S.B. stopped the truck near a store on 21st and Meinecke Streets. M.W. said that someone

² The record reflects that M.S.B. passed away before Hale's trial began. The cause of death was unrelated to the charges that Hale faced.

began firing shots at the truck but he did not remember who did the shooting. He did recall that he got out of the truck and ran. He testified that the day after the shooting, he met with police and looked at photographs to see if he could identify the person who shot at the truck. M.W. testified that he did not remember “what happened” when he looked at the photographs. However, he said that he recognized his signature on a Photo Array Identification Form dated March 30, 2020, and he acknowledged that the signature reflected that he had selected the photograph in folder two during the identification procedure. A detective testified that Hale was the person pictured in the photograph that M.W. selected.

Sergeant Tyler Kirkvold testified that he recovered surveillance video recorded on March 29, 2020, in and around a grocery store near the intersection of 21st and Meinecke Streets. Portions of that video were played for the jury, and Kirkvold also testified about those portions. He said that the video showed Hale arriving in the area in a black car at 5:11 p.m., and then showed Hale standing at the grocery store counter a few minutes later. Kirkvold said that the video also showed Hale leaving the store, returning to the black car in which he had arrived, and then approaching a white vehicle at 5:36 p.m. and firing a gun. Kirkvold testified that another subject with Hale also appeared to fire, but Kirkvold acknowledged that he was unable to actually see any guns in the video and could not tell what, if anything, was in either subject’s hand.

The defense rested without calling any witnesses. The jury returned guilty verdicts on both first-degree intentional homicide and possessing a firearm while a felon. Hale now appeals, challenging the sufficiency of the evidence to convict him of first-degree intentional homicide.

Before the jury could find Hale guilty of first-degree intentional homicide, the State was required to prove beyond a reasonable doubt that Hale caused Taylor’s death and that he acted with intent to kill Taylor. *See* WIS. STAT. § 940.01; WIS JI—CRIMINAL 1010. On appeal, Hale does not dispute that Taylor died of a gunshot wound or that the shooter acted with intent to kill. Rather, Hale contends that the evidence was insufficient to show that he was the person who killed Taylor.

Hale first argues that the evidence against him was insufficient because no one testified to seeing him shoot Taylor. We reject this argument. “[A] finding of guilt may rest upon evidence that is entirely circumstantial.” *Poellinger*, 153 Wis. 2d at 501. Here, M.S.-A testified that she saw Hale shoot a gun into the truck where she and Taylor were passengers, confront the fleeing women before they separated, then “look [M.S.-A.] dead in the face” before pursuing Taylor. Within seconds thereafter, M.S.-A. heard a gunshot. Although she did not see who fired the shot, she testified that she saw only one person with a gun and that person was Hale. Four minutes after the first shots were fired, police responded to the scene and found Taylor shot dead. The jury could reasonably infer that Hale fired the shot that killed her. *See id.* at 507.

Hale next argues that the State failed to offer any corroborating physical evidence, such as DNA or fingerprints. The State was not required to offer such evidence to prove guilt beyond a reasonable doubt. *See id.* at 501. Testimony, even uncorroborated, is alone sufficient to sustain a conviction. *State v. Stockman*, 46 Wis. 2d 243, 247, 174 N.W.2d 249 (1970).

Hale next argues that M.S.-A. did not testify that she saw him with a gun while chasing her. M.S.-A. testified, however, that Hale had a gun that he “clutched the whole time” and that he “could have ... killed her” during the chase, but he pursued Taylor instead. M.S.-A. did not

need to reiterate her observation that Hale had a gun in order for the jury to infer that he remained armed while chasing M.S.-A. and Taylor. See **Poellinger**, 153 Wis. 2d at 507. Moreover, M.S.-A. also testified that she heard a gunshot within “seconds” after she and Taylor separated while fleeing from Hale, and M.S.-A. said that she did not “see anyone else out there with a gun. Just him.”

We also reject Hale’s argument that the jury was required to conclude that a second, unidentified gunman killed Taylor. Kirkvold testified that surveillance video “appeared” to show two people shooting into a white truck, but he also conceded that no gun was visible in the video. M.S.-A., by contrast, testified that she saw a single gunman: Hale. The weight of these portions of the evidence, the proper inferences to draw, and the credibility of the witnesses was for the fact finder to determine. See **State v. Daniels**, 117 Wis. 2d 9, 17, 343 N.W.2d 411 (Ct. App. 1983). While the jury perhaps could have inferred that a second gunman was present, that inference was not required. See **Poellinger**, 153 Wis. 2d at 503 (“The jury can ... within the bounds of reason, reject evidence and testimony suggestive of innocence.”).

In sum, M.S.-A. saw Hale shoot into the truck in which she was riding with Taylor. She saw no other gunman in the area. After the truck crashed, M.S.-A. saw Hale alone pursue Taylor, and then M.S.-A. heard a single gunshot. Police arrived on the scene approximately four minutes after the first shots were fired and found Taylor dead, shot in the head at close range. The evidence amply supported the jury’s verdict that Hale was guilty of first-degree intentional homicide. For all the foregoing reasons, we affirm.

IT IS ORDERED that the judgment is summarily affirmed. See 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