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DISTRICT II

October 14, 2026

To:

Hon. Guy D. Dutcher
Circuit Court Judge
Electronic Notice

John Blimling
Electronic Notice

Amy Thoma
Clerk of Circuit Court
Green Lake County Courthouse
Electronic Notice

Jordan J. Kahn #599059
Wisconsin Secure Program Facility
1101 Morrison Drive
Boscobel, WI 53805

Katie Babe
Electronic Notice

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

2025AP2759-CRNM	State of Wisconsin v. Jordan J. Kahn (L.C. #2021CF119)
2025AP2760-CRNM	State of Wisconsin v. Jordan J. Kahn (L.C. #2021CF178)
2025AP2761-CRNM	State of Wisconsin v. Jordan J. Kahn (L.C. #2022CF156)
2025AP2763-CRNM	State of Wisconsin v. Jordan J. Kahn (L.C. #2023CF7)

Before Gundrum, Grogan, and LoCoco, 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).

Appointed counsel for Jordan J. Kahn has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2023-24)¹ and *Anders v. California*, 386 U.S. 738 (1967) in each of these four consolidated cases. Counsel provided Kahn with a copy of the report, and both counsel and this court advised him of his right to file a response. Kahn has not responded. Based on our

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

independent review of the Record, we agree with appointed counsel's conclusion that there is no arguable merit to any issue that could be raised on appeal. Accordingly, we summarily affirm the judgments of conviction.

As relevant to this no-merit appeal, the State charged Kahn with multiple serious criminal offenses in four separate cases. The charges Kahn faced across the four cases included several charges of possession of various illegal drugs and drug paraphernalia, fleeing and eluding law enforcement, and first-degree reckless homicide for delivering fentanyl which caused a fatal overdose. Pursuant to an agreement with the State, Kahn agreed to plead to one count from each of the four criminal complaints, with all remaining charges dismissed and read in. For the offenses to which he entered pleas, Kahn faced a total of 47.5 years of initial confinement, 21 years of extended supervision, and up to \$130,000 in fines.² At the sentencing hearing, the State was limited to a recommendation of 12 years of initial confinement but was otherwise free to argue, as was the defense.

Kahn entered pleas of no contest to: (1) possession of narcotic drugs; (2) possession of THC, as a second or subsequent offense; (3) first-degree reckless homicide; and (4) fleeing and eluding law enforcement. All counts were subject to the repeater enhancer. The circuit court imposed a prison sentence of 12 years of initial confinement and 8 years of extended supervision for the reckless-homicide conviction. For each of the other convictions, the court withheld

² Through the agreement to dismiss and read in several offenses, Kahn escaped the potential for an additional 35.5 years in prison.

sentence and placed Kahn on 5 years of probation, consecutive to the prison sentence. This no-merit appeal follows.

The no-merit report addresses whether each of the four no-contest pleas were entered knowingly, intelligently, and voluntarily. It next addresses whether there would be any merit to an argument that the circuit court erroneously exercised its sentencing discretion. We briefly address these matters and other potential issues below.

First, the no-merit report satisfies this court that the plea colloquies as to all four counts sufficiently complied with the requirements of *State v. Brown*, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906, and WIS. STAT. § 971.08 concerning the nature of the charges, the rights Kahn was waiving, and other related matters.³ To explain briefly, in order to withdraw a plea after sentencing, a defendant either must show that the plea colloquy was defective in a manner that resulted in the defendant actually entering an unknowing plea, or demonstrate some other manifest injustice such as coercion, the lack of a factual basis to support the charge, ineffective assistance of counsel, or failure by the prosecutor to fulfill the plea agreement. *State v. Bangert*, 131 Wis. 2d 246, 272-76, 389 N.W.2d 12 (1986); *State v. Krieger*, 163 Wis. 2d 241, 249-51 & n.6, 471 N.W.2d 599 (Ct. App. 1991). There is no indication of any such defect here. The

³ The no-merit report notes that the circuit court judge who accepted Kahn's pleas and adjudicated him guilty subsequently recused himself from further proceedings in Kahn's case because that judge had presided over Kahn in drug-treatment court. At the subsequent hearing to impose sentencing, the replacement judge who presided over Kahn's cases offered Kahn an opportunity to withdraw his pleas based on the original court's recusal after taking the pleas. Kahn declined the offer to withdraw his pleas, and the court ensured that Kahn was doing so knowingly, intelligently, and voluntarily. The no-merit report indicates that there would be no arguable merit to an appeal related to this issue. We agree and address it no further.

Record shows no other ground to withdraw the pleas, nor any ineffective assistance of trial counsel related to the plea. There is no arguable merit to this issue.

The no-merit report also addresses whether the circuit court erroneously exercised its sentencing discretion. The standards for the circuit court and this court on sentencing issues are well-established and need not be repeated here. See *State v. Gallion*, 2004 WI 42, ¶¶17-51, 270 Wis. 2d 535, 678 N.W.2d 197. In this case, the court considered appropriate factors, did not consider improper factors, and reached a reasonable result. The sentence imposed was substantially less than the maximum penalty available and cannot be said to shock public sentiment. See *Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975). There is no arguable merit to an appeal from the sentence imposed.

Finally, our independent review of the Record does not disclose any issues of arguable merit for appeal. See *State v. Allen*, 2010 WI 89, ¶¶81-82, 328 Wis. 2d 1, 786 N.W.2d 124. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of *Anders* and WIS. STAT. RULE 809.32.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney Katie Babe is relieved from further representing Jordan J. Kahn in this appeal. See WIS. STAT. RULE 809.32(3).

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

Nos. 2025AP2759-CRNM
2025AP2760-CRNM
2025AP2761-CRNM
2025AP2763-CRNM

Samuel A. Christensen
Clerk of Court of Appeals