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DISTRICT I

December 14, 2021

To:

Hon. William S. Pocan
Circuit Court Judge
Electronic Notice

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Clerk of Circuit Court
Milwaukee County
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Assistant State Public Defender
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Karl C. Wright
5125 W. Stark St.
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You are hereby notified that the Court has entered the following opinion and order:

2020AP41-CRNM State of Wisconsin v. Karl C. Wright (L.C. # 2015CF5394)
2020AP42-CRNM State of Wisconsin v. Karl C. Wright (L.C. # 2015CF5539)

Before Brash, C.J., Dugan and White, 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).

Karl C. Wright appeals judgments convicting him of one count of misdemeanor criminal damage to property, one count of misdemeanor battery, two counts of misdemeanor disorderly conduct, and one count of felony bail jumping. His appointed appellate counsel, Leon W. Todd, filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2019-20),¹ and *Anders v.*

¹ All references to the Wisconsin Statutes are to the 2019-20 version unless otherwise noted.

California, 386 U.S. 738 (1967).² Wright was informed of his right to file a response, but he did not do so. After reviewing the no-merit report and conducting an independent review of the records as mandated by *Anders*, we conclude that there is no arguable merit to any issue that could be raised on appeal. *See* WIS. STAT. RULE 809.21. Therefore, we affirm.

Wright has had long-standing issues with his mental health. After a trial to the court, Wright was found guilty of the above-listed charges, which stemmed from an altercation at Wright's sister's home on December 5, 2015, and from Wright's disruptive and aggressive conduct at a security checkpoint for the Milwaukee County Courthouse on December 23, 2015. The circuit court found that Wright was responsible for his criminal conduct under WIS. STAT. § 971.15(1),³ rejecting his claim that he was not responsible for his criminal conduct due to his mental illness.

The circuit court imposed the following sentences, to be served consecutively: nine months in the House of Corrections for criminal damage to property; six months in the House of Corrections for battery; three months in the House of Corrections for each count of disorderly conduct; and twelve months in the House of Corrections for felony bail jumping. The circuit court then stayed the sentences and placed Wright on probation for an aggregate term of four years.

² Assistant State Public Defender David Malkus was substituted as counsel while these appeals were pending because Attorney Leon W. Todd is no longer employed at the Office of the State Public Defender.

³ WIS. STAT. § 971.15(1) provides that “[a] person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect the person lacked substantial capacity either to appreciate the wrongfulness of his or her conduct or conform his or her conduct to the requirements of law.”

The testimony at trial showed that the Milwaukee Police responded to a call for assistance from the home of Wright's sister, Y.W. Y.W. testified that Wright was in her home without her consent and that she asked him to leave, but he refused. Y.W. said that Wright then damaged various items in her home and became physically violent with her, punching her twice in the face, and grabbing her by the neck with both hands and pinning her against the wall.

The testimony at trial also showed that Wright was at the security screening station for the Milwaukee County Courthouse when he became irate. He began speaking loudly, using profanities, and waving his arms around in an agitated manner. When authorities asked Wright to step away from the security station, lower his voice, and stop using profanities, he refused and was then arrested.

The no-merit report very thoroughly addresses the extensive proceedings in these matters, which included multiple hearings regarding Wright's competency. The report addresses whether there were any evidentiary issues or procedural errors that entitled Wright to a new trial or other relief, whether there was sufficient evidence to support the guilty verdicts, whether the circuit court erred in finding that Wright was mentally responsible for his crimes, and whether the circuit court properly exercised its sentencing discretion. We are satisfied that the no-merit report properly analyzes the issues it raises as without merit, and we will not discuss them further. We commend counsel for his detailed discussion of the issues.

Our review of the record discloses no other potential issues for appeal. Accordingly, we accept the no-merit report, affirm the convictions, and discharge appellate counsel of the obligation to represent Wright further in these appeals.

Upon the foregoing reasons,

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

IT IS FURTHER ORDERED that Attorney David Malkus is relieved from further representing Karl C. Wright in these appeals. *See* WIS. STAT. RULE 809.32(3).

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

Sheila T. Reiff
Clerk of Court of Appeals