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DISTRICT I

January 22, 2025

To:

Hon. Frederick C. Rosa
Circuit Court Judge
Electronic Notice

David Malkus
Electronic Notice

Anna Hodges
Clerk of Circuit Court
Milwaukee County Safety Building
Electronic Notice

Jennifer L. Vandermeuse
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Hashim Nanguna Lawrence
7416 Harwood Ave. Apt. 314
Wauwatosa, WI 53213

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

2022AP1265-CRNM	State of Wisconsin v. Hashim Nanguna Lawrence (L.C. # 2019CF5421)
2022AP1266-CRNM	State of Wisconsin v. Hashim Nanguna Lawrence (L.C. # 2019CF5745)
2022AP1267-CRNM	State of Wisconsin v. Hashim Nanguna Lawrence (L.C. # 2020CF770)
2022AP1268-CRNM	State of Wisconsin v. Hashim Nanguna Lawrence (L.C. # 2020CF933)

Before White, C.J., Donald, 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).

Hashim Nanguna Lawrence appeals from judgments convicting him of multiple counts of felony bail jumping with domestic abuse assessments and one count of stalking. Appellate counsel, David Malkus, filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2021-22)¹

¹ All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

and *Anders v. California*, 386 U.S. 738 (1967). Lawrence received a copy of the report, was advised of his right to file a response, and has not responded. We have independently reviewed the records and the no-merit report as mandated by *Anders*. We conclude that there are no issues of arguable merit that could be pursued on appeal. We therefore summarily affirm. *See* WIS. STAT. RULE 809.21.

In Milwaukee County Circuit Court case No. 2019CF440, the State charged Lawrence with one count each of strangulation/suffocation, battery, and disorderly conduct. The charges stemmed from an alleged domestic violence incident between Lawrence and his ex-girlfriend, E.K.W. Lawrence was released on bond with a condition that he have no contact with E.K.W.

In Milwaukee County Circuit Court case No. 2019CF5421, the State charged Lawrence with one count of felony bail jumping with domestic abuse assessments. The complaint alleged that on December 4, 2019, while out on bond in case No. 2019CF440, Lawrence violated the no-contact order when he allegedly visited a restaurant next to E.K.W.'s business. The complaint alleged that Lawrence stared at E.K.W. through a window and made gestures towards her.

In Milwaukee County Circuit Court case No. 2019CF5745, the State charged Lawrence with two additional counts of felony bail jumping with domestic abuse assessments. The complaint alleged that on December 21, 2019, a friend of Lawrence's visited E.K.W.'s business while on the phone with Lawrence. E.K.W. told police that she heard Lawrence directing the friend to collect his (Lawrence's) tools. The complaint also noted that Lawrence had been released on bond in two felony cases with a condition that he have no contact with E.K.W., including no contact by telephone or through a third party.

In Milwaukee County Circuit Court case No. 2020CF770, the State charged Lawrence with two counts of felony bail jumping, with domestic abuse assessments, alleging that on January 27, 2020, Lawrence went to E.K.W.'s place of business looking for her. According to the complaint, E.K.W.'s business neighbor called her to report his encounter with Lawrence. The complaint further states that E.K.W. then began to drive to a police station to file a report. During the drive E.K.W. noticed that Lawrence was following her. E.K.W. reported that Lawrence was tailgating her, honking at her, and gesturing at her. The complaint noted that Lawrence had been released on bond in a felony case with a condition that he have no contact with E.K.W. The complaint further noted that a JusticePoint violation report indicated that Lawrence had been in the area of E.K.W.'s business, according to GPS monitoring.

In Milwaukee County Circuit Court case No. 2020CF933, the State charged Lawrence with one count of stalking and four additional counts of felony bail jumping. The complaint was based upon JusticePoint violation reports showing Lawrence within E.K.W.'s vicinity multiple times between September 29, 2019, and February 26, 2020. The complaint also alleged that on February 26, 2020, Lawrence visited E.K.W.'s other place of work looking for her. An employee of the establishment contacted E.K.W. to alert her of Lawrence's visit. The complaint further noted that Lawrence had been released on bond in four felony cases with a condition that he have no contact with E.K.W.

The cases were consolidated and ultimately proceeded to trial. Multiple witnesses, including law enforcement, E.K.W., witnesses to Lawrence's conduct, and Lawrence himself, testified. Prior to closing arguments, the parties stipulated to the dismissal of the strangulation/suffocation charge in case No. 2019CF440. Ultimately, the jury found Lawrence

not guilty of battery and disorderly conduct and guilty of the remaining nine charges. The trial court initially sentenced Lawrence to two years of initial confinement and two years and six months of extended supervision for stalking. The court imposed six months of concurrent jail for each bail jumping offense. The court later commuted Lawrence's sentence for stalking to eighteen months of initial confinement and two years of extended supervision, to conform with the maximum sentence permitted for a Class I felony under WIS. STAT. § 940.32(2). This no-merit report follows.

Appellate counsel's no-merit report addresses three issues: (1) whether the evidence presented at trial was sufficient to sustain the jury's verdicts; (2) whether any reversible errors occurred before or during trial; and (3) whether the trial court erroneously exercised its sentencing discretion.

We first address the sufficiency of the evidence. Our standard of review is whether the evidence, viewed in the light most favorable to the State, is so insufficient in probative value and force that as a matter of law no reasonable jury could have found guilt beyond a reasonable doubt. *State v. Poellinger*, 153 Wis. 2d 493, 501, 451 N.W.2d 752 (1990). The standard is the same whether the evidence is direct or circumstantial. *Id.* As relevant to this appeal, the State charged Lawrence with eight counts of bail jumping and one count of stalking. Multiple witnesses testified as to Lawrence's conduct, the terms of his bond conditions, the no-contact order, and Lawrence's GPS monitoring. E.K.W. testified about multiple instances in which Lawrence contacted her or attempted to find her. Lawrence contradicted E.K.W.'s testimony. It was for the jury to weigh the evidence, resolve conflicts in the testimony, and draw inferences from the evidence. *Id.* at 506. Upon the evidence adduced at trial, we cannot say that the jury

erred in finding guilt beyond a reasonable doubt for the bail jumping and stalking charges. We conclude that no arguable merit could arise from a challenge to the sufficiency of the evidence.

Appellate counsel's no-merit report next addresses whether any reversible errors occurred prior to trial or during trial. Appellate counsel thoroughly considered numerous issues, including pretrial matters, opening statements, evidentiary rulings, voir dire, Lawrence's decision to testify, and jury instructions. We have independently reviewed the records and agree with counsel's legal analysis and conclusion that no issues of arguable merit arise from pretrial matters or matters that occurred during trial.

Appellate counsel also addresses whether the trial court erroneously exercised its sentencing discretion. *See State v. Gallion*, 2004 WI 42, ¶17, 270 Wis. 2d 535, 678 N.W.2d 197; *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76. Our review of the records confirm that the trial court thoroughly considered the relevant sentencing objectives and factors. The trial court specifically focused on the effect of Lawrence's conduct on the victim. The trial court commuted Lawrence's original sentence and imposed a sentence within the range authorized by law, *see State v. Scaccio*, 2000 WI App 265, ¶18, 240 Wis. 2d 95, 622 N.W.2d 449. The sentence is not so excessive so as to shock the public's sentiment, *see Ocanas v. State*, 70 Wis. 2d 179, 185, 233 N.W.2d 457 (1975). There would be no arguable merit to a challenge to the trial court's sentencing discretion.

Because we conclude that there would be no arguable merit to any issue that could be raised on appeal, we accept the no-merit report, affirm the judgments of conviction, and relieve Attorney Malkus of further representation of Lawrence in this appeal.

Upon the foregoing, therefore,

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

IT IS FURTHER ORDERED that Attorney David Malkus is relieved of further representation of Hashim Nanguna Lawrence in this matter. *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