



OFFICE OF THE CLERK  
**WISCONSIN COURT OF APPEALS**

110 EAST MAIN STREET, SUITE 215

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880

TTY: (800) 947-3529

Facsimile (608) 267-0640

Web Site: [www.wicourts.gov](http://www.wicourts.gov)

**DISTRICT I**

March 11, 2025

To:

Hon. Kori L. Ashley  
Circuit Court Judge  
Electronic Notice

Olivia Garman  
Electronic Notice

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

Alexandra M. Parker  
3202 45th Street  
Kenosha, WI 53144

Paul C. Dedinsky  
Electronic Notice

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

---

2024AP1958-CRNM      State of Wisconsin v. Alexandra M. Parker (L.C. # 2023CF3676)

Before Geenen, J.<sup>1</sup>

**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).**

Alexandra M. Parker appeals a judgment of conviction entered upon her guilty plea to misdemeanor battery. Appellate counsel, Attorney Olivia Garman, filed a no-merit report pursuant to WIS. STAT. RULE 809.32, and *Anders v. California*, 386 U.S. 738 (1967). Parker did not file a response. Upon consideration of the no-merit report and an independent review of the

---

<sup>1</sup> This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(f) (2023-24). All references to the Wisconsin Statutes are to the 2023-24 version unless otherwise noted.

record as mandated by *Anders*, we conclude that no arguably meritorious issues exist for an appeal. Therefore, we summarily affirm. *See* WIS. STAT. RULE 809.21.

The State filed a criminal complaint alleging that on August 11, 2023, Parker spat on a Milwaukee police officer. The State charged Parker with discharging bodily fluids at a public safety worker, a Class I felony carrying a maximum penalty of three years and six months of imprisonment and a \$10,000 fine. *See* WIS. STAT. §§ 941.375(2), 939.50(3)(i). The parties resolved the case with a plea agreement. Parker agreed to plead guilty to an amended charge of battery, a Class A misdemeanor carrying a maximum penalty of nine months in jail and a \$10,000 fine. *See* WIS. STAT. §§ 940.19(1), 939.51(3)(a). The parties also agreed to make a joint sentencing recommendation of ninety-six days in jail, a time-served disposition. The circuit court accepted Parker's guilty plea to battery, and the matter proceeded immediately to sentencing. The circuit court imposed the time-served disposition that the parties recommended.

The no-merit report addresses the potential issues of whether Parker entered her guilty plea knowingly, intelligently, and voluntarily, and whether the circuit court properly exercised its sentencing discretion. This court is satisfied that appellate counsel properly analyzed these issues, and we agree with appellate counsel's conclusion that they lack arguable merit for an appeal. Further discussion of these issues is not warranted.

We will, however, discuss two issues that the no-merit report does not address. First, we have considered that Parker was not physically in the courtroom for the plea and sentencing hearing, although she had the right to be present. *See* WIS. STAT. §§ 971.04(1)(g), 967.08(4). Parker was living in a group home outside of Milwaukee County at the time of that hearing and, when the hearing began, the circuit court stated that it had agreed to permit Parker to appear

remotely. *See* § 967.08(2). Parker appeared via Zoom, acknowledged that she had the right to attend the hearing in person, and waived that right. The waiver satisfied the requirements of *State v. Soto*, 2012 WI 93, ¶50, 343 Wis. 2d 43, 817 N.W.2d 848. Accordingly, any challenge to the plea or sentencing based on Parker’s appearance via Zoom would be frivolous within the meaning of *Anders*.

Second, the record reflects that Parker was affected by several mental health diagnoses and had previously been the subject of a mental health commitment. We have therefore considered whether Parker could pursue an arguably meritorious claim that her trial counsel was ineffective for failing to challenge Parker’s competency to proceed. To establish ineffective assistance of counsel, a defendant must show that counsel’s performance was deficient and that the deficient performance prejudiced the defense. *Strickland v. Washington*, 466 U.S. 668, 687 (1984). If a defendant can establish that defense counsel had reason to doubt the defendant’s competency and failed to bring any such reason to the attention of the circuit court, the defendant may have a meritorious claim of ineffective assistance of counsel. *State v. Johnson*, 133 Wis. 2d 207, 222-23, 395 N.W.2d 176 (1986). “[A] defendant is incompetent if he or she lacks the capacity to understand the nature and object of the proceedings, to consult with counsel, and to assist in the preparation of his or her defense.” *State v. Byrge*, 2000 WI 101, ¶27, 237 Wis. 2d 197, 614 N.W.2d 477. Our review of the record satisfies us that no arguably meritorious basis exists for challenging trial counsel’s effectiveness in regard to Parker’s competency.

The record shows that Parker completed high school. The record also shows that she was lucid and responsive during court appearances. She read a statement at her plea and sentencing hearing reflecting that she recognized the gravity of the circumstances and understood both the offense she committed and the risk she faced as a consequence of her conviction. Her trial

counsel did not voice reservations at any point about Parker's ability to understand the proceedings, and the record does not reveal any such inability. Moreover, the circuit court did not express any concerns about Parker's conduct in the courtroom. *See Johnson*, 133 Wis. 2d at 223 (stating that a circuit court on its own motion must explore a defendant's competency when the evidence raises a genuine doubt about the defendant's competence to proceed to trial). Accordingly, no basis exists to conclude that trial counsel was ineffective for failing to pursue a claim that Parker was not competent to proceed in the instant case. *See State v. Leighton*, 2000 WI App 156, ¶38, 237 Wis. 2d 709, 616 N.W.2d 126. Further pursuit of this issue would lack arguable merit.

Our independent review of the record does not disclose any other potential issues for appeal. We conclude that further postconviction or appellate proceedings would be wholly frivolous within the meaning of *Anders* and WIS. STAT. RULE 809.32.

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

IT IS FURTHER ORDERED that Attorney Olivia Garman is relieved of any further representation of Alexandra M. Parker on appeal. *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*