

## OFFICE OF THE CLERK WISCONSIN COURT OF APPEALS

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## **DISTRICT III**

May 6, 2025

*To*:

Hon. Michael H. Bloom Circuit Court Judge Electronic Notice

Brenda Behrle Clerk of Circuit Court Oneida County Courthouse Electronic Notice John Blimling Electronic Notice

Roberta A. Heckes Electronic Notice

Christopher Terrell Anderson 713087 Green Bay Correctional Inst. P.O. Box 19033 Green Bay, WI 54307-9033

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

2023AP939-CRNM

State of Wisconsin v. Christopher Terrell Anderson (L. C. No. 2021CF200)

Before Stark, P.J., Hruz, and Gill, 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).

Christopher Anderson appeals from a judgment convicting him, upon a guilty plea, of first-degree intentional homicide. Attorney Roberta A. Heckes has filed a no-merit report seeking to withdraw as Anderson's appellate counsel. *See* WIS. STAT. RULE 809.32 (2023-24). Anderson was informed of his right to respond to the no-merit report, but he has not filed a response despite our extending the deadline to do so. Having independently reviewed the entire

<sup>&</sup>lt;sup>1</sup> All references to the Wisconsin Statutes are to the 2023-24 version.

record as mandated by *Anders v. California*, 386 U.S. 738, 744 (1967), we conclude that there are no arguably meritorious issues for appeal.

The complaint alleged that Anderson shot and killed his ex-girlfriend on the side of a road. Two witnesses reported having seen the victim standing with a black man by a white SUV at the scene of the crime minutes before the shooting. One of those witnesses identified the man as Anderson, after first seeing a photograph of Anderson that law enforcement had released to the media and then having an officer show the same photograph to her. Other witnesses reported that the victim had previously reported multiple instances of violence by Anderson and said that she was afraid of him.

Anderson moved to suppress the witness's identification as impermissibly suggestive because the witness was only shown a single photograph. The circuit court denied the motion following a hearing, concluding that the identification procedure was confirmatory rather than suggestive.

Anderson then pled guilty in exchange for the State's agreement to recommend release to extended supervision after forty years' confinement, with Anderson free to argue for release eligibility between thirty and forty years. The circuit court accepted Anderson's plea after conducting a plea colloquy, reviewing Anderson's signed plea questionnaire, and ascertaining that there was a factual basis to support the plea.

The circuit court subsequently held a sentencing hearing, at which it heard from the parties as well as from friends and relatives of the victim. After discussing the severity of the offense in depth and noting that Anderson had acted as a "brutal, ruthless, coldblooded" assassin

after terrorizing the victim for years, the court determined that Anderson would not be eligible for release to extended supervision.

The no-merit report addresses the suppression motion, the validity of the plea and sentence, and the assistance of Anderson's trial counsel. Upon reviewing the record, we agree with appellate counsel's conclusion that Anderson has no arguably meritorious basis to challenge the suppression ruling, the plea, the sentence, or his trial counsel's performance. The circumstances of this case do not show an impermissibly suggestive identification. The circuit court conducted an adequate plea colloquy, and Anderson has never asserted that he misunderstood the charge or his rights. The court had discretion to deny supervised release, and it reasonably explained why it did so. Trial counsel took reasonable steps on Anderson's behalf.

Our independent review of the record discloses no other potential issues for appeal. We conclude that any further appellate proceedings would be wholly frivolous within the meaning of *Anders*. Accordingly, counsel shall be allowed to withdraw, and the judgment of conviction will be summarily affirmed. *See* WIS. STAT. RULE 809.21.

Upon the foregoing,

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

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IT IS FURTHER ORDERED that Attorney Roberta A. Heckes is relieved of any further representation of Christopher Anderson in this matter pursuant to 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