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DISTRICT I

July 1, 2025

To:

Hon. Rebecca A. Kiefer
Circuit Court Judge
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

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

Marcus Dontreal Lathan 702896
Prairie Du Chien Correctional Institution
500 E. Parrish Street
Prairie Du Chien, WI 53821-2730

Timothy C. Drewa
Electronic Notice

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

2024AP978-CRNM State of Wisconsin v. Marcus Dontreal Lathan
(L.C. # 2022CF2697)

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).

Attorney Timothy C. Drewa, as appointed counsel for Marcus Dontreal Lathan, filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2023-24)¹ and *Anders v. California*, 386 U.S. 738 (1967). Counsel provided Lathan with a copy of the report, and both counsel and this court advised Lathan of his right to file a response. Lathan has not responded. We conclude that this case is appropriate for summary disposition. See WIS. STAT. RULE 809.21. After our

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

independent review of the record, we conclude that there is no arguable merit to any issue that could be raised on appeal.

According to the complaint, after police officers witnessed Lathan dealing drugs from a vehicle that did not have license plates, they conducted a traffic stop. Lathan's two-year-old son was in the vehicle with him, unrestrained. When the officers searched the vehicle, they found drug dealing paraphernalia and a handgun. There was no car seat for Lathan's son.

Lathan pled guilty to and was convicted of one count of neglecting a child and one count of felony bail jumping. Both charges were modified by the habitual criminality repeater. The circuit court imposed concurrent sentences of three and one-half years of initial confinement and one and one-half years of extended supervision, both of which were consecutive to any other sentence Lathan was serving. The court granted Lathan 305 days of sentence credit and denied him early release programming.

The no-merit report addresses whether Lathan's pleas were entered knowingly, voluntarily, and intelligently. The plea colloquy 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 relating to the nature of the charges, the rights Lathan was waiving, and other matters. The record shows no other ground to withdraw the pleas. There is no arguable merit to this issue.

The no-merit report also addresses Lathan's sentences. The sentences are within the legal maximums. As to discretionary issues, the standards for the circuit court and this court 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 circuit court considered appropriate factors, did

not consider improper factors, and reached a reasonable result. There is no arguable merit to this issue.

Our review of the record discloses no other potential issues for appeal.

Therefore,

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

IT IS FURTHER ORDERED that Attorney Timothy C. Drewa is relieved of further representation of Marcus Dontreal Lathan 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