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**DISTRICT I**

July 1, 2025

To:

Hon. Ellen R. Brostrom  
Circuit Court Judge  
Electronic Notice

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

Mark S. Rosen  
Electronic Notice

John Blimling  
Electronic Notice

Rayshawn L.A. Perkins 718182  
Supervised Living Facility  
P.O. Box 10  
Winnebago, WI 54985

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

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2024AP1473-CRNM      State of Wisconsin v. Rayshawn L.A. Perkins (L.C. # 2022CF377)

Before Donald, P.J., Geenen, and Colón, 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).**

Rayshawn L.A. Perkins appeals a judgment convicting him of second-degree reckless homicide. Appellate counsel, Mark S. Rosen, filed a no-merit report pursuant to *Anders v. California*, 386 U.S. 738 (1967), and WIS. STAT. RULE 809.32 (2023-24).<sup>1</sup> Perkins was advised of his right to file a response, but has not done so. Upon consideration of the no-merit report and an independent review of the record as mandated by *Anders*, we conclude that there are no issues of arguable merit that could be pursued on appeal. We therefore summarily affirm.

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

The State charged Perkins with one count of first-degree reckless homicide for the shooting death of his father. Following the initial appearance, defense counsel requested a competency exam. The examiner found Perkins competent. Neither the State nor defense counsel contested the examiner's conclusion. Perkins also stated that he agreed with the report. The circuit court found Perkins competent to proceed.

Perkins ultimately pled guilty to an amended charge of second-degree reckless homicide. The circuit court conducted a colloquy with Perkins and accepted his plea. The court sentenced Perkins to 21 years of imprisonment, bifurcated as 13 years of initial confinement and 8 years of extended supervision. The court also granted Perkins a sentence credit of 379 days. This no-merit report follows.

Appellate counsel's no-merit report addresses two issues: (1) whether Perkins's guilty plea was entered knowingly, intelligently, and voluntarily; and (2) whether the circuit court erroneously exercised its sentencing discretion.

With regard to Perkins's guilty plea, our review of the record—including the plea questionnaire/waiver of rights form, the addendum, the jury instructions, and the plea hearing transcript—confirms that the circuit court complied with its obligations for taking guilty pleas, pursuant to WIS. STAT. § 971.08, *State v. Bangert*, 131 Wis. 2d 246, 261-62, 389 N.W.2d 12 (1986), and *State v. Brown*, 2006 WI 100, ¶35, 293 Wis. 2d 594, 716 N.W.2d 906. These obligations exist specifically to help ensure the validity of any plea. We thus agree with appellate counsel's conclusion in the no-merit report that there is no arguable merit to seeking plea withdrawal based on a claim that Perkins's plea was anything other than knowing, intelligent, and voluntary.

With regard to the circuit court’s sentencing decision, we note that sentencing is a matter for the court’s discretion. *See State v. Gallion*, 2004 WI 42, ¶17, 270 Wis. 2d 535, 678 N.W.2d 197. At sentencing, a court must consider the principal objectives of sentencing, including the protection of the community, the punishment and rehabilitation of the defendant, and deterrence to others. *State v. Ziegler*, 2006 WI App 49, ¶23, 289 Wis. 2d 594, 712 N.W.2d 76. It must also determine which objective or objectives are of greatest importance. *Gallion*, 270 Wis. 2d 535, ¶41. In seeking to fulfill the sentencing objectives, the court should consider several primary factors, including the gravity of the offense, the character of the offender, and the protection of the public, and it may consider additional factors. *State v. Odom*, 2006 WI App 145, ¶7, 294 Wis. 2d 844, 720 N.W.2d 695. The weight to be given to each factor is committed to the court’s discretion. *Id.*

Our review of the record confirms that the circuit court appropriately considered the relevant sentencing objectives and factors. The resulting sentence was within the potential maximum authorized by law, *see State v. Scaccio*, 2000 WI App 265, ¶18, 240 Wis. 2d 95, 622 N.W.2d 449, and 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).

Our independent review of the appellate record prompts us to address one issue that counsel addresses but does not discuss in the no-merit report. Early in the proceedings, defense counsel requested a competency evaluation of Perkins. A licensed psychologist evaluated Perkins and found that he did not lack substantial capacity to understand court proceedings or to assist in his own defense. Neither Perkins, nor the State, opposed the examiner’s findings and the court found him competent to proceed. Under WIS. STAT. § 971.14(4)(b), when “the district attorney, the defendant and defense counsel waive their respective opportunities to present other

evidence on the issue, the court shall promptly determine the defendant's competency ... on the basis of the report filed [by the court-appointed expert]." Therefore, the record reveals no basis to challenge Perkins's competency to proceed.

Our independent review of the record reveals no other potential issues of arguable merit.

For all the foregoing reasons,

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

IT IS ORDERED that Mark S. Rosen is relieved of further representation of Perkins in this matter. *See* WIS. STAT. RULE 809.32(3).

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

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*Samuel A. Christensen*  
*Clerk of Court of Appeals*