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DISTRICT II

August 6, 2025

To:

Hon. Kent R. Hoffmann
Circuit Court Judge
Electronic Notice

Christopher William Rose
Electronic Notice

Chris Koenig
Clerk of Circuit Court
Sheboygan County Courthouse
Electronic Notice

Sara Lynn Shaeffer
Electronic Notice

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

2023AP682-CR	State of Wisconsin v. Rafael Reynoso (L.C. #2021CF411)
2023AP683-CR	State of Wisconsin v. Rafael Reynoso (L.C. #2022CF49)
2023AP684-CR	State of Wisconsin v. Rafael Reynoso (L.C. #2022CF86)

Before Neubauer, P.J., Gundrum, and Grogan, 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).

Rafael Reynoso appeals judgments convicting him of 31 criminal charges. Reynosa argues that: (1) the circuit court erred when it joined three cases against him for trial; (2) the court should have severed the actions during trial because a witness testified that he was a domestic abuse repeater; and (3) he is entitled to reversal in the interest of justice. After review of the briefs and Record, we conclude at conference that this appeal is appropriate for summary disposition. *See* WIS. STAT. RULE 809.21 (2023-24).¹ We affirm.

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

Reynoso was charged in three separate cases involving the same victim, Jennifer.² In September 2020, police received a 911 call reporting a fight. After police investigated the incident, the State charged Reynoso with disorderly conduct, as a domestic abuse repeater. Seventeen months later, in January 2022, bouncers at a Sheboygan tavern summoned officers, who found Jennifer bruised and bleeding. The State charged Reynoso with false imprisonment, substantial battery, strangulation, and related misdemeanors. Finally, while free on bond, police arrested Reynoso in February 2022, for contacting Jennifer in violation of bail conditions, prompting the State to charge him with felony bail jumping, as a repeater. The State moved to join the cases for trial pursuant to WIS. STAT. § 971.12. The circuit court granted the motion over Reynoso’s objection. Reynoso was convicted of all of the charges against him.

Reynoso first argues that the circuit court erred when it joined his cases for trial. Charges in two or more cases may be joined for trial “if the crimes ... could have been joined in a single complaint, information or indictment.” WIS. STAT. § 971.12(4). In addition, two or more crimes may be charged in the same complaint: (1) if they “are of the same or similar character”; (2) if they “are based on the same act or transaction”; or (3) if they are based on “2 or more acts or transactions connected together or constituting parts of a common scheme or plan.” Sec. 971.12(1). “The joinder statute is to be broadly construed in favor of initial joinder.” *See State v. Salinas*, 2016 WI 44, ¶31, 369 Wis. 2d 9, 879 N.W.2d 609. This broad construction serves the purposes of the joinder statute, which are “trial economy and convenience,” promoting “efficiency in judicial administration,” and eliminating the need for “multiple trials against the

² Because these cases involve the victim of a crime, we use a pseudonym pursuant to WIS. STAT. RULE 809.86.

same defendant, which promotes fiscal responsibility.” *Id.*, ¶36. “The initial decision on joinder is a question of law that we review de novo.” *Id.*, ¶30.

All three cases involved the same defendant and the same intimate-partner victim. The charges are of similar character because they involved a continuing pattern of coercive control and violence between the defendant and the victim—two of the cases included domestic violence charges and disorderly conduct charges, while the third involved felony bail jumping for contacting the victim while in custody awaiting trial. A span of 17 months between the first and last case is a relatively short time period for domestic violence prosecutions. The incidents share overlapping proof in the form of Jennifer’s testimony, the parties’ relationship history, and Reynoso’s recorded jail phone calls. Trying the counts together avoided duplicative testimony and spared the victim multiple court appearances, promoting efficiency in judicial administration, convenience, and fiscal responsibility. These cases satisfied the criteria of the joinder statute, WIS. STAT. § 971.12. Therefore, we reject Reynoso’s claim of error.

Reynoso next argues that the circuit court should have severed the actions during trial because a witness testified that Reynoso was a domestic abuse repeater in violation of a pretrial ruling. Reynoso did not object to the testimony or move to sever the cases at any time during trial. Failure to contemporaneously object forfeits a claim. *See State v. Coffee*, 2020 WI 1, ¶19, 389 Wis. 2d 627, 937 N.W.2d 579. Therefore, Reynoso has forfeited his right to raise this claim.

Reynoso next argues that he is entitled to a new trial in the interests of justice. *See* WIS. STAT. § 752.35. We reject this argument because Reynoso has failed to show any reason that he is entitled to relief in the interests of justice.

IT IS ORDERED that the judgments of the circuit court are summarily affirmed. *See* Wis. STAT. RULE 809.21.

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

Samuel A. Christensen
Clerk of Court of Appeals