

AUG 19 2021

CLERK OF SUPREME COURT
OF WISCONSINMonday
August 9th, 2021

To whom this may concern,

I Alejandro Gutierrez am writing this in regards to a "No-merit petition for review" being filed following the court of appeals denying my post conviction relief. I am writing this pursuant to Section 809.62(2).

I feel as if this particular case does present a real and significant question of constitutional law. While incarcerated at the Brown Co. Jail I was not given the proper mental health care nor my prescribed medication which was a mood stabilizer, ADD medication and a depressant for sleep. I did ask to speak to a psychiatrist but to no avail. On my sentencing day at 1:59:44pm the court stated, "He has a prior health diagnosis. He was -- he has been diagnosed with depression, anxiety, suicidal thoughts. He has had hospitalization regarding his conditions. He has been previously diagnosed with conduct disorder, persistent depressive disorder, cannabis disorder, ADD, negativism and self-debating personality traits. He clearly has emotion health history which may affect his behavior in the community." To my mental health history.

may affect my behavior in the community, it is very likely to assume I wasn't in the right state of mind when I took the plea. The court still failed to ask me if I was suffering from mental health or off of any medication pursuant to Bangert claim.

In the last court of appeals decision they stated "Significantly, Gutierrez checked boxes indicating he was not "currently receiving treatment for a mental illness or disorder," and he had not "had any alcohol, medications or drugs within the last 24 hours." All of that is true I was not receiving treatment for a mental illness because Brown Co. was not prescribing my medication I requested.

This petition for review demonstrates a need for the supreme court to consider establishing implementing a change for people who have an extensive mental health history not having rights to proper care while incarcerated to prevent crises such as mine. Also a decision by the supreme court will help harmonize the law by preventing individuals by being taken advantage of while being vulnerable from

the lack of proper care. The question presented is not factual in nature but rather is a question of law of the type which is likely to recur unless resolved by the supreme court.

That will conclude my brief for the "No-merit Petition for review." Thank you very much for your time and God bless you.

Respectfully,

Alexandre J. Gutierrez



