

**COURT OF APPEALS
DECISION
DATED AND RELEASED**

January 11, 1996

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See § 808.10 and RULE 809.62(1), STATS.

NOTICE

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

No. 95-2216-CR-NM

STATE OF WISCONSIN

**IN COURT OF APPEALS
DISTRICT IV**

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

CARLTON B. CAMPBELL,

Defendant-Appellant.

APPEAL from a judgment of the circuit court for Dane County:
PATRICK J. FIEDLER, Judge. *Affirmed.*

GARTZKE, P.J. Appointed counsel for Carlton B. Campbell, Attorney Morris D. Berman, has filed a no merit report pursuant to RULE 809.32, STATS. Counsel provided Campbell with a copy of the report. Campbell responded to the report. Upon our independent review of the record as mandated by *Anders v. California*, 386 U.S. 738 (1967), we conclude there is no arguable merit to any issue that could be raised on appeal.¹

¹ This appeal is decided by one judge pursuant to § 752.31(2)(f), STATS.

Campbell pleaded no contest to one count of bail jumping, a Class A misdemeanor, with an enhancement for habitual criminality. Sections 946.49(1)(a) and 939.62(1)(a), STATS. The court sentenced Campbell to eighteen months in prison, consecutive to the sentence he was then serving.

Campbell's response to the no merit report can be read as asserting that he did not understand the plea proceedings and was not given adequate time to review the plea questionnaire. We ordered Campbell's attorney to discuss the issue with him and determine whether Campbell would wish to withdraw his plea. Attorney Berman informs us that Campbell does not wish to move to withdraw his plea. Therefore, we need not review issues related to that plea any further.

Counsel's no merit report does not address whether the trial court erroneously exercised its discretion in sentencing Campbell. When imposing sentence, a trial court must consider the gravity of the offense, the offender's character, and the public's need for protection. *State v. Thompson*, 172 Wis.2d 257, 264, 493 N.W.2d 729, 732 (Ct. App. 1992). We will not disturb a sentence imposed by the trial court unless the court erroneously exercised its discretion. *Id.* The sentencing transcript shows that the court considered the relevant factors. The court sentenced Campbell to one-half of the possible maximum term. We conclude there would be no arguable merit to this issue.

Our review of the record discloses no other potential issues for appeal. Attorney Berman is relieved of further representing Campbell in this matter.

By the Court.--Judgment affirmed.