STATE OF WISCONSIN
COURT OF APPEALS
DISTRICT II

Appeal No. 2022 AP 002196-CR

STATE OF WISCONSIN,

Plaintiff-Respondent,

v.

CORDIARAL WEST,

Defendant- Appellant.

BRIEF-IN-CHIEF OF DEFENDANT-APPELLANT

APPEAL FROM AN ORDER DENYING A MOTION TO WITHDRAW PLEA ENTERED ON OCTOBER 26, 2022, IN THE CIRCUIT COURT OF FOND DU LAC COUNTY
The Honorable Dale English, Presiding
Trial Court Case No. 2014 CF 522

Respectfully submitted:

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ISSUE PRESENTED

I. WHETHER WEST SHOULD BE PERMITTED TO WITHDRAW HIS PLEA BECAUSE THE RECORD ESTABLISHES: (1) HIS PLEA WAS BASED ON AN ERRONEOUS UNDERSTANDING OF POSSESSION; AND (2) THERE WAS AN INADEQUATE FACTUAL BASIS FOR THE CRIME TO WHICH HE PLED.

The trial court answered: No.

STATEMENT ON PUBLICATION

The appellant believes the Court's opinion in this case will meet the criteria for publication as there are no published cases addressing section 971.365, Stats.

STATEMENT ON ORAL ARGUMENT

The appellant does not request oral argument insofar as he believes the briefs will sufficiently explicate the facts and law necessary for this Court to decide the issues presented.

STATEMENT OF THE CASE AND FACTS

On October 2, 2014, the State filed a criminal complaint charging the defendant, Cordiaral West, with five counts of conspiracy to deliver cocaine: (1) 1 gram or less on September 24, 2014; (2) 1 gram or less on September 24, 2014; (3) 1 to 5 grams on September 26, 2014; (4) 1 to 5 grams on September 26, 2014; and (5) 1 to 5 grams on September 26, 2014. (R1). The charges originated with a confidential informant (CI) who the State claimed had engaged in a drug transaction with West. (R1-4). According to the CI, West had approached him, given him a small amount of crack cocaine, and two phone numbers to call if he wanted more. One number allegedly belonged to West and the other to Dazwan Jones. (*Id.*). The CI claimed that when he called the numbers, Jones generally answered was always the individual who conducted any transactions. (*Id.*).

On September 24, 2014, and using this information, two different undercover officers each made a separate, small cocaine purchase from Jones that became the predicate acts for Counts 1 and 2 against West. (*Id.*at 4-5). Then, on September 26, 2014, a different undercover officer made two additional small purchases of cocaine, again from Jones. (*Id.*). These became the predicate acts for Counts 3 and 4 against West. (*Id.*).

Count 5 was based on cocaine found on September 26, 2014, when a warrant was executed on a residence police wrongfully believed belonged to Cordiaral West. (*Id.* at 5-6). In fact, Miguel West lived there, and when the warrant was executed, two packages totaling 14.53 grams of cocaine were found on top of a heating duct in the basement of that unit. (*Id.*). No identifier connecting Cordiaral West was found in the unit searched, with the exception of a Charter bill that had been mailed to him, apparently without specifying the upper or lower unit. Neither West's prints nor his DNA were found on the packages seized. (R77-83).

West steadfastly maintained throughout the entirety of these proceedings that he had nothing to do with these larger packages of cocaine. (R139). And indeed, both Dazwan Jones and Miguel West were charged with, and convicted for, the possession of those 14.53 grams of cocaine. (R140; R141). *See*

also State v. Dazwan Jones, Case No. 2014 CF 511 and *State v. Miguel West*, Case No. 2014 CF 512. Dazwan Jones and Miguel West have both since reaffirmed and confirmed that the 14.53 grams of cocaine hidden in the basement directly below their residence were theirs, and that Cordiaral West was unaware of its presence. (R140; R141).

On June 15, 2015, the State filed an Information adding an additional count of possession of 1 to 5 grams of cocaine with intent to deliver. (R16). This became Count 7 and was based on a transaction allegedly occurring on May 24, 2015. In any event, West intended to go to trial, and the general contours of his defense emerged during pre-trial motion hearings. First, the apartment where the search warrant was executed, and the larger amounts of cocaine found, was not his. (R135-20). He had leased the apartment to a family member. (*Id*. at 27). And West was in Mississippi at the time of the other transactions. (*Id*. at 21).

On August 17, 2015, the matter came before the court for a jury trial. (R138-2). The morning was spent addressing motions in limine, stipulations of the parties, jury instructions and numerous other trial matters, including what witnesses could, and would, testify. (*See id*. at 3-69). Near the end of the morning, however, the court released the jury panel until the next day because there were still pretrial matters to address, and also because it appeared some last-minute plea negotiations could be ongoing. (*Id*. at 69-73). The court then recessed for the lunch hour. (*Id*. at 73).

After lunch, a deal was announced. The State would dismiss all counts except Count 7, which would be amended to a Class E felony: possession of cocaine (5-15 grams) with intent to deliver. (*Id*. at 74-76). West would plead guilty and both parties would be free to argue for an appropriate sentence. (*Id*. at 75). The State announced, and the Amended Information revealed, that instead of a date for the offense, a time frame would be used: September 24, 2014 through May 24, 2015, inclusive. (*Id*. at 78; R36). The State asserted there was sufficient evidence that "during that entire time," West possessed more than 5 but less than 15 grams of cocaine. (*Id*. at 80-81). West then pled guilty to that charge. (R138-82-88).

At no time, however, had West ever possessed five or more grams of cocaine at one time. (R139). West pled guilty only because he was led to believe the State could prove the offense by adding up lesser amounts of cocaine he was alleged to have possessed on separate occasions. (*Id.*). West's attorney never disavowed him of this belief, nor did the plea colloquy ever establish that West, at any moment in time, ever possessed five or more grams of cocaine.

At no time during the plea colloquy was *West* ever asked if there was an adequate factual basis for his plea or what that factual basis might be. The circuit court only asked West's attorney if he thought there was an adequate factual basis in the Amended Information and he responded "Yes, there is." (R77-89). The circuit court then opined that there was a factual basis for his plea. (*Id*. at 91). West was then sentenced to ten years of initial confinement consecutive to a ten-year period of initial confinement in a different case also arising from this case, as a result of West's probation revocation. (R58l *see also State v. West*, 2013 CF 55).

On June 22, 2022, West filed a motion to withdraw his plea. (R143). The motion was based on the fact that had West known it was improper to add up small amounts of cocaine he might have possessed at separate times to create a possession case of a larger amount he never possessed at one time, he would never have entered a plea. (R139). On August 26, 2022, and in a ruling from the bench, the circuit court denied West's motion without an evidentiary hearing. (R146). The circuit court's rationale will be addressed in the Argument section of this brief. On October 6, 2022, the circuit court entered an order denying the motion. (R148). This appeal followed. (R149).

Argument

I. WEST SHOULD BE PERMITTED TO WITHDRAW HIS PLEA BECAUSE THE RECORD ESTABLISHES: (1) HIS PLEA WAS BASED ON AN ERRONEOUS UNDERSTANDING OF POSSESSION; AND (2) THERE WAS AN INADEQUATE FACTUAL BASIS FOR THE CRIME TO WHICH HE PLED.

A. *Bangert.*

West's motion to withdraw his plea was based, in the first instance, on *State v. Bangert*, 131 Wis. 2d 246, 267, 389 N.W.2d 12 (1986). In taking a plea, a circuit court must address defendants personally and fulfill several duties, as established by section 971.08, Stats., and other judicial mandates, to thus ensure a guilty plea is constitutionally sound. *Id*. The purpose of these duties is to inform the defendant of the nature of the charge, to ascertain the defendant's understanding of the charge, and to ensure the defendant is aware of the constitutional rights being waived. *Bangert*, 131 Wis. 2d at 267. In a legal sense, the purpose of the colloquy is to assure a voluntary and intelligent plea, as well as fundamental fairness in the taking of pleas. *Id*.

A defendant invokes *Bangert* by alleging the circuit court failed to fulfill its plea colloquy duties. *Id*. A Bangert motion warrants an evidentiary hearing if: (1) the motion makes prima facie showing that the plea was accepted without the trial court's conformance with section 971.08, Stats., or other mandatory procedures; and (2) the motion alleges that in fact the defendant did not know or understand the information that should have been provided at the plea colloquy. *Id*. If the defendant's motion meets both prongs of *Bangert*, the burden shifts to the State to prove at the evidentiary hearing that the plea was nevertheless knowing, intelligent, and voluntary. *State v. Howell*, 2007 WI 75, ¶ 29, 301 Wis. 2d 350, 734 N.W.2d 48.

Section 971.08(1)(b), Stats., requires a circuit court to make an inquiry to establish the defendant actually committed the crime charged. The Wisconsin supreme court has

determined that establishing a sufficient factual basis for a plea requires a showing that "the conduct which the defendant admits constitutes the offense charged." *State v. Lackershire*, 2007 WI 74, ¶ 33, 301 Wis. 2d 418, 734 N.W.2d 23. Establishing a factual basis under section 971.08(1)(b) is necessary for a valid plea. Id. at ¶ 34. As *Lackershire* explained, when a substantial question exists about the factual basis for a guilty plea, doubts arise about whether the plea was knowing and intelligent. *Lackershire*'s discussion of the issue resonates in this case:

> The factual basis requirement protects a defendant who is in the position of pleading voluntarily with an understanding of the nature of the charge but without realizing that his conduct does not actually fall within the charge. . . . [T]his court [has]noted that the purpose of the statutory requirement for a court inquiry as to basic facts is to protect the defendant who pleads guilty voluntarily and understanding the charge brought but not realizing that his conduct does not constitute the charged crime. A defendant's failure to realize that the conduct to which she pleads guilty does not fall within the offense charged is incompatible with that plea being knowing and intelligent.

Id. at ¶ 34. (Emphasis added; citations and quotations omitted). *Lackershire* thus recognizes the real risk that a defendant, like West, can plead guilty to a charge believing his conduct constitutes the crime when in fact, it does not.

A review of the Amended Information reveals that West pled guilty to an offense, the substance of which was defined by section 961.41(1m)(cm)2, Stats. The operative language was the following:

> [I]t is unlawful for any person to possess, with intent to manufacture, distribute or deliver, a controlled substance or a controlled substance analog. Intent under this subsection may be demonstrated by, without limitation because of enumeration, evidence of the quantity and

> monetary value of the substances possessed, the possession of manufacturing implements or paraphernalia, and the activities or statements of the person in possession of the controlled substance or a controlled substance analog prior to and after the alleged violation.

This language is straightforward with regard to the predicate act. A person must "possess" the substance in question.

The language relevant to "the amount" of the controlled substances is found in section 961.41(1m)(cm)2, Stats., which states:

> If a person violates this subsection with respect to cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine base, and the amount possessed, with intent to manufacture, distribute or deliver, is . . . More than 5 grams but not more than 15 grams, the person is guilty of a Class E felony.

This reiterates that the "amount possessed" must be more than 5 grams but not more than 15 grams" for the person to be guilty of a Class E felony. T

In the instant case, as in *Lackershire*, the facts relating to West's conduct remained in dispute because the colloquy failed to establish whether the underlying conduct constituted the crime to which he entered a plea. Like *Howell*, no additional details about West's role in the crime charged appear in the plea colloquy, in part because the circuit allowed defense counsel to stipulate that a factual basis for the plea existed, *Howell*, 2007 WI 75 at ¶ 61, when, in fact, it did not.

The court never asked when, between September 24, 2014 and May 24, 2015, West possessed more than 5, but less than 15, grams of cocaine. *Howell*, 2007 WI 75 at ¶ 64. Nor, for that matter, did the court even ask West when he might have possessed smaller amounts of cocaine that added up to more than 5, but less than 15, grams of cocaine. Instead, there was an implicit belief that the possession of some unidentified smaller amounts was cumulative, and that several unidentified

less serious offenses could be combined into a single more serious offense. This is evident both from the language of the Amended Information (giving a time frame rather than a date of the offense) and from the prosecutor's remarks, during the plea hearing, that there was sufficient evidence that "during that entire time," West possessed more than 5 but less than 15 grams of cocaine. *Howell* reiterated the importance of taking care to ensure a defendant does not enter a plea with an understanding of the nature of the charge but without realizing his conduct does not actually fall within the charge. *Id*. at ¶66.

B. *Nelson/Bentley.*

The motion to withdraw was also brought pursuant to *Nelson v. State*, 54 Wis. 2d 489, 195 N.W.2d 629 (1972), and *State v. Bentley*, 201 Wis. 2d 303, 548 N.W.2d 50 (1996). A *Nelson/Bentley* motion relies on the idea that the defendant's failure to understand certain information resulted from problems extrinsic to the plea colloquy. *State v. Hoppe*, 2009 WI 41, ¶¶ 59-60, 317 Wis. 2d 161, 765 N.W.2d 794. In this case, the external factor was defense counsel's failure to accurately review the full and actual elements of the offense with West and explain how his conduct would have satisfied possession of 5-15 grams of cocaine. As previously noted, at no time during the plea colloquy was this failure ever rectified.

A defendant's *Nelson/Bentley* motion can overlap with a *Bangert* motion as each can raise the same ultimate issue of constitutional fact: whether the defendant's guilty plea was entered knowingly, intelligently, and voluntarily. The burden at a *Nelson/Bentley* evidentiary hearing, however, is on the defendant, who must prove by clear and convincing evidence that withdrawal of the guilty plea is necessary to avoid a manifest injustice. *Id*. A defendant may demonstrate a manifest injustice by showing his guilty plea was not made knowingly, intelligently, and voluntarily. *Id*. A *Nelson/Bentley* motion relies on the idea that what rendered a defendant's plea less than fulling intelligent and voluntary resulted from problems extrinsic to the plea colloquy, and this can include ineffective assistance of counsel. *Hoppe*, *supra* at ¶¶ 59-60.

The benchmark for judging whether counsel acted ineffectively is set forth in *Strickland v. Washington*, 466 U.S.

668 (1984). *Strickland* requires a defendant to first demonstrate counsel's performance was deficient by showing specific acts or omissions that fall outside the range of professionally competent assistance." Id. at 687. Second, the defendant must also show counsel's errors were prejudicial, or in other words, so serious as to deprive him of a fair proceeding, i.e., a proceeding for which the result is reliable. *Id*.

A defendant's plea cannot be intelligent and voluntary if he does not have an accurate understanding of whether he has actually committed the crime to which he is entering a plea. To understand this issue, West naturally relied on his attorney. And as a consequence, West waived his right to a trial with a flawed understanding of whether, and how, the State would be able to prove the charge to which he was pleading.

Defense counsel has a duty to know the law applicable to his or her client's case and provide accurate information in conjunction therewith. *Padilla v. Kentucky*, 559 U.S. 356, 369 (2010). Defense counsel is presumed to know the applicable law. *See, e.g., Ex parte Welch*, 981 S.W.2d 183, 185 (Tex. Crim. App. 1998). To be reasonably likely to render effective assistance to his client, a lawyer must be sufficiently abreast of developments in criminal law aspects implicated in the case at hand. Id. Misunderstanding of the applicable law can never be a legitimate trial strategy. *Davis v. State*, 413 S.W.3d 816, 833 (Tex. App. 2013). It was deficient performance to allow West to plead guilty to an offense for which there was no factual basis.

Absent the above-identified deficiencies, West would not have entered a plea, but instead, would have gone to trial. Of necessity, then, the outcome would have been different. *Strickland, supra*. More on point to the issue *sub judice* was the Supreme Court's observation to a case of this nature:

> But in this case counsel's deficient performance arguably led not to a judicial proceeding of disputed reliability, but rather to the forfeiture of a proceeding itself. When a defendant alleges his counsel's deficient performance led him to accept a guilty plea rather than go to trial, we do not ask whether, had he gone to

> trial, the result of that trial would have been different than the result of the plea bargain. That is because, while we ordinarily apply a strong presumption of reliability to judicial proceedings, we cannot accord any such presumption to judicial proceedings that never took place.

Lee v. United States, 137 S. Ct. 1958, 1965 (2017) (quotations omitted), *citing Roe v. Flores–Ortega*, 528 U.S. 470, 483 (2000).

The relevant inquiry, instead, is whether the defendant was prejudiced by the denial of the entire judicial proceeding to which he had a right. *Id*. Thus, when a defendant claims that his counsel's deficient performance deprived him of a trial by causing him to accept a plea, the defendant can show prejudice by demonstrating a reasonable probability that, but for counsel's errors, he would not have pleaded guilty and would have insisted on going to trial. *Hill v. Lockhart*, 474 U.S. 52, 59 (1985). West did that and should have been granted an evidentiary hearing.

C. Section 971.365, Stats.

In denying West's motion, the circuit court undertook a lengthy review of the proceedings on the day that West entered his plea. (R146-1-11). Much of that analysis goes to the question of whether West's plea was "voluntary," in the ordinary sense of that term. The ultimate question before the court, however, was whether there was a factual basis for the plea. Because the circuit court denied West's motion without an evidentiary hearing, it must be assumed that it accepted West's assertions as true. *State v. Allen*, 2004 WI 106, ¶ 15, 274 Wis. 2d 568, 682 N.W.2d 433. Accordingly, the question before the circuit court boiled down to whether it was appropriate to convict West for possessing five or more grams of cocaine when he never possessed, at any point in time, that amount of cocaine.

The circuit court answered this question in the affirmative by relying on section 971.365, Stats. (R164-15).

More specifically, the circuit court referenced section 971.365(1)(b) which states:

> In any case under s. 961.41(1m) (em), 1999 stats., or s. 961.41 (1m)(cm), (d), (dm), (e), (f), (g) or (h) involving more than one violation, all violations may be prosecuted as a single crime if the violations were pursuant to a single intent and design.

It should be noted that this statute was *not* included in the Amended Information relied on by the circuit court to establish a factual basis for West's plea. And as the circuit court noted, no published appellate court decision addresses this statutory language. (R146-14-15).

In either event, the circuit court concluded that because of this obscure statutory provision, there was a factual basis for West's plea:

> And I do believe Section 971.365(1)(b) governs the issue raised . . . so based on the applicable law, the allegations in the record, the Court concludes that the State was legally entitled to prosecute all of the alleged violations as a single crime. And I guess what occurred was that the sole count in the Amended Information expanded the time frame and increased the weight.

(R146-16).

As previously noted, if the State purported to rely on section 971.365(1)(b), Stats., to aggregate West's crimes into a single and more serious offense, that statute was ***not*** included in the Amended Information which purported to be the factual basis upon which the circuit court relied in accepting West's plea. And even if that was the intent, the plea colloquy did not establish an adequate factual basis. Indeed, in its decision denying West's motion, the circuit court explained why it believed that in light of section 971.365(1)(b), there was still a factual basis:

> Dazwan Jones completed the four transactions in question. The total amount delivered on the four occasions, and this is a total amount, was **4 grams of crack, and then 14.53 grams of crack** was located at the time of the execution of the search warrant, and, again, there was mail found at the location of the execution of the search warrant addressed to the defendant at that address. So based on all of that, the Court could easily conclude that the various violations were pursuant to a single intent and design and that the weight -- the weight in question exceeded both 5 grams and actually exceeded 15 grams.

(R146-16-17) (emphasis added).

This analysis, it should be noted, depends on the 14.53 grams of cocaine that was found when a warrant was executed at a residence which was *not* West's residence. In the absence of that amount, which West has always steadfastly maintained was *not* his, only four (4) grams of cocaine remain, which is *below* the threshold for the offense to which West pled guilty. It should be noted that to support the claim that he had nothing to do with the 14.53 grams of cocaine in question, West did not merely submit his own affidavit. West also produced and submitted affidavits from the two individuals who *did* possess the 14.53 grams of cocaine, and who were therefore convicted for that possession. Once again, in deciding whether West was minimally entitled to an evidentiary hearing, the circuit court was required to accept West's assertions as true. *Allen*, supra at ¶ 15.[1]

In addition, if this was an adequate basis for the amended charge, then an adequate factual basis would also have needed to establish that the various violations were "pursuant to a single intent and design." This language, of course, was not included in the Amended Information, either expressly or by reference. And the plea colloquy never addressed putative bridge that the circuit court has now

[1] The circuit court makes reference to "mail found" at the residence. As West has noted, there was a single Charter mailing that seemingly had been delivered to the lower, rather than the upper, unit.

belatedly inserted into the analysis. What makes this notable is the overall time frame referenced in the Amended Information - September 24, 2014 through May 24, 2015 – and the fact there were zero alleged offenses between September 26, 2014 and May 24, 2015. This undercuts the idea of a "single intent and design" which again, was never addressed during the plea hearing.

Another problem is that the charges West *was* previously facing, and which were then ostensibly aggregated into a more serious charge, did not fall within the language of section 971.365(1)(b), Stats. Section 971.365(1)(b) applies to charges under **section 961.41 (1m)(cm)**, Stats. The charges that the State purported to aggregate, however, were conspiracy charges pursuant to **section 961.41(1)(cm)**. (R69). There does not appear to be any clear authority that allows the State to aggregate multiple conspiracy charges into a single charge of possession with intent.

Finally, the language of section 971.365(1)(b), Stats., is ambiguous. That "all violations may be prosecuted as a single crime" does not unambiguously signify that smaller violations can be aggregated into a single more serious crime. This language is too vague to put individuals on notice that drug dealing in small amounts can be aggregated and charged as a single instance of a large scale drug transaction. And at a minimum, a defendant should receive adequate and unambiguous notice that this is what the State is doing.

The void for vagueness doctrine protects individuals from unreasonable prosecution. The Fourteenth Amendment to the United States Constitution declares that no state may "deprive any person of life, liberty, or property, without due process of law." U.S. Const. amend. XIV. This constitutional guarantee is protected when courts declare a statute invalid that would otherwise violate individual procedural due process. *Kolender v. Lawson*, 461 U.S. 352, 357 (1983). Courts may invalidate unconstitutional statutes by applying the void for vagueness doctrine. Id. The void-for-vagueness doctrine requires that a penal statute define the criminal offense with sufficient definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement. *Id*.

The Wisconsin supreme court has set forth a two-part test in applying the void-for-vagueness doctrine: (1) whether the statute is sufficiently definite to give persons of ordinary intelligence who seek to avoid its penalties fair notice of the conduct required or prohibited; and (2) whether the statute provides standards for those who enforce the laws and adjudicate guilt so the statute can be applied consistently. *State v. McManus*, 152 Wis. 2d 113, 135, 447 N.W.2d 654 (1989). If the statute is so obscure that people of common intelligence must guess at its meaning and differ as to its applicability, it is unconstitutional. *City of Oak Creek v. King*, 148 Wis. 2d 532, 546, 436 N.W.2d 285 (1989). If a statute lacks adequate notice of what is prohibited, leaving basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis, it is unconstitutional. *Grayned v. City of Rockford*, 408 U.S. 104, 108-09 (1972). The degree of vagueness the Constitution tolerates and the relative importance of fair notice and fair enforcement depend in part on the nature of the enactment. *Village of Hoffman Estates v. Flipside, Hoffman Estates, Inc*., 455 U.S. 489, 499 (1982). Enactments with criminal rather than civil penalties are not granted as much tolerance because the consequences of imprecision are qualitatively more severe. *Id*.

Conclusion and Relief Requested

For all the foregoing reasons, West respectfully requests that this Court reverse the circuit's order and remand with instructions that the circuit court grant him an evidentiary hearing on his motion to withdraw his guilty plea.

Dated this 17th day of February, 2023.

Electronically signed by: Rex Anderegg
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CERTIFICATIONS

I hereby certify that this brief conforms to the rules contained in s. 809.19 (8) (b), (bm), and (c) for a brief. The length of this brief is 4,356 words, as counted by Microsoft Office 365.

I further hereby certify that filed with this brief is an appendix that complies with s. 809.19 (2) (a) and that contains, at a minimum: (1) a table of contents; (2) the findings or opinion of the circuit court; (3) a copy of any unpublished opinion cited under s. 809.23 (3) (a) or (b); and (4) portions of the record essential to an understanding of the issues raised, including oral or written rulings or decisions showing the circuit court's reasoning regarding those issues.

I further certify that if this appeal is taken from a circuit court order or judgment entered in a judicial review of an administrative decision, the appendix contains the findings of fact and conclusions of law, if any, and final decision of the administrative agency.

Finally I further certify that if the record is required by law to be confidential, the portions of the record included in the appendix are reproduced using one or more initials or other appropriate pseudonym or designation instead of full names of persons, specifically including juveniles and parents of juveniles, with a notation that the portions of the record have been so reproduced to preserve confidentiality and with appropriate references to the record.

Dated this 17th day of February, 2023.

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