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DISTRICT I

June 8, 2020

To:

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

2016AP2290-CRNM State of Wisconsin v. Alexander T. McGee (L.C. # 2013CF3029)

Before Brash, P.J., Dugan and White, 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).

Alexander T. McGee appeals from a judgment of conviction entered after a jury found him guilty of three felonies. McGee also appeals from an order denying his postconviction motion. McGee's appellate counsel, Aneeq Ahmad, has filed a no-merit report pursuant to WIS.

STAT. RULE 809.32 (2017-18) and *Anders v. California*, 386 U.S. 738 (1967).¹ McGee filed two responses, dated March 23, 2018, and July 15, 2019.

On February 4, 2020, we directed appellate counsel to file a supplemental no-merit report addressing specific issues. We further indicated that if appellate counsel identified an issue of arguable merit, he could instead move to voluntarily dismiss this appeal to either pursue a merit appeal or to file a supplemental postconviction motion.

On June 2, 2020, appellate counsel filed a motion seeking to dismiss this appeal and extend the time for filing a supplemental postconviction motion. The motion explains that counsel has identified several issues of arguable merit. Because a no-merit report is only appropriate if counsel is convinced that an appeal would be wholly frivolous, *McCoy v. Court of Appeals*, 486 U.S. 429, 437 (1988), this court will grant the motion.

IT IS ORDERED that the no-merit report in appeal No. 2016AP2290-CRNM is rejected and the appeal is dismissed without prejudice.

IT IS FURTHER ORDERED that the deadline for Attorney Aneeq Ahmad to file a supplemental postconviction motion on McGee's behalf is extended to July 9, 2020. *See* WIS. STAT. RULE 809.82(2)(a) (2017-18).

¹ All references to the Wisconsin Statutes are to the 2017-18 version unless otherwise noted.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals