



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215
P.O. BOX 1688
MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880
TTY: (800) 947-3529
Facsimile (608) 267-0640
Web Site: www.wicourts.gov

DISTRICT II

November 29, 2023

To:

Hon. Anthony G. Milisauskas
Circuit Court Judge
Electronic Notice

Rebecca Matoska-Mentink
Clerk of Circuit Court
Kenosha County Courthouse
Electronic Notice

Peter Anderson
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

Austin F. Jahnke, #61867
3934 48th Ave.
Kenosha, WI 53144

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

2022AP125-CRNM State of Wisconsin v. Austin F. Jahnke (L.C. #2017CF773)

Before Neubauer, Grogan, and Lazar, 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).

Austin F. Jahnke, by Attorney Peter Anderson, is pursuing this appeal under the no-merit procedure set forth in WIS. STAT. RULE 809.32 (2021-22).¹ By order dated August 17, 2023, we directed Attorney Anderson to file a supplemental no-merit report addressing whether Jahnke could present any nonfrivolous argument that his statutory right to be present at his sentencing after revocation had been violated. Attorney Anderson now informs this court that he has determined there is an issue of arguable merit to pursue by postconviction motion. He seeks to

¹ All references to the Wisconsin Statutes are to the 2021-22 version unless otherwise noted.

voluntarily dismiss the appeal and extend the time to file a postconviction motion. Good cause has been shown to do so. *See* WIS. STAT. RULE 809.82(2).

Based on the foregoing,

IT IS ORDERED that the no-merit report is rejected and the no-merit appeal is dismissed without prejudice.

IT IS FURTHER ORDERED that the time to file a postconviction motion is extended to sixty days from the date of this order.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals