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**WISCONSIN COURT OF APPEALS**

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**DISTRICT I**

December 9, 2013

To:

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

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2013AP2203-CRNM      State of Wisconsin v. Chaston K. McNealey (L.C. #2012CF588)

Before Curley, P.J.

By order dated November 22, 2013, this court directed Attorney Mark S. Rosen to file a supplemental no-merit report on behalf of Chaston K. McNealey. The court, upon its independent review of the record, had identified a potential issue of arguable merit relating to the imposition of a DNA surcharge in Milwaukee County Circuit Court case No. 2012CF588. *See State v. Cherry*, 2008 WI App 80, 312 Wis. 2d 203, 752 N.W.2d 393. Counsel now moves to voluntarily dismiss the appeal and seeks an extension of time for filing a postconviction motion in order to address the potential issue.

Upon the foregoing, therefore,

IT IS ORDERED that the no-merit report in appeal No. 2013AP2203-CRNM is rejected and the appeal is dismissed without prejudice.

IT IS FURTHER ORDERED that the deadline for filing a postconviction motion or notice of appeal in Milwaukee County Circuit Court case Nos. 2012CF588 is extended to February 7, 2014.

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*Diane M. Fremgen*  
*Clerk of Court of Appeals*