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DISTRICT I

June 10, 2014

To:

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

2014AP545-CRNM State of Wisconsin v. Deangelo A. Webster (L.C. #2011CF5649)

Before Curley, P.J.

By order dated June 2, 2014, this court directed Attorney Mark S. Rosen, appellate counsel for Deangelo A. Webster, to file a supplemental no-merit report in this matter. Attorney Rosen now advises that, in his view, the case presents an arguably meritorious issue. Counsel therefore seeks voluntary dismissal of the no-merit appeal and an extension of the deadline for pursuing postconviction relief in the circuit court. A no-merit proceeding is appropriate only if counsel is convinced that an appeal would be wholly frivolous. *McCoy v. Court of Appeals*, 486 U.S. 429, 437 (1988). Accordingly, the court will grant the motion.

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

IT IS FURTHER ORDERED that the deadline for filing a postconviction motion or notice of appeal is extended through July 24, 2014. *See* WIS. STAT. RULE 809.82(2)(a) (2011-12).

Diane M. Fremgen
Clerk of Court of Appeals