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DISTRICT I

August 11, 2014

To:

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

2013AP2792-CRNM State of Wisconsin v. Fidel Torres, III (L.C. #2012CF3904)

Before Curley, P.J.

By order dated June 11, 2014, this court directed Attorney Donna Odrzywolski to file a supplemental no-merit report on behalf of Fidel Torres, III. Upon this court's independent review of the record, we observed that Torres may not have been fully aware of the elements of his offense prior to entering a plea. Counsel, on behalf of Torres, now moves to dismiss the appeal and seeks an extension of time for filing a supplemental postconviction motion. Counsel further represents that Torres agrees with this course of action and has presented a signed statement from Torres to that effect.

Upon the foregoing,

IT IS ORDERED that the no-merit report in appeal No. 2013AP2792-CRNM is rejected and the appeal is dismissed without prejudice.

IT IS FURTHER ORDERED that the deadline for filing a supplemental postconviction motion or notice of appeal in Milwaukee County Circuit Court case No. 2012CF3904 is extended to September 25, 2014.

Diane M. Fremgen
Clerk of Court of Appeals