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**DISTRICT I**

August 17, 2015

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:

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2014AP2963-CRNM      State of Wisconsin v. Rodrigo Gallegos Guzman  
(L.C. #2013CF3316)

Before Curley, P.J.

By order dated July 21, 2015, this court directed Attorney Jon Alfonso LaMendola, appellate counsel for Rodrigo Gallegos Guzman, to file a supplemental no-merit report in this matter. Attorney LaMendola now advises that, in his view, the no-merit appeal should be dismissed to permit Guzman to file a postconviction motion. 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 relief requested.

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 October 16, 2015. *See* WIS. STAT. RULE 809.82(2)(a) (2013-14).

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