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DISTRICT IV

October 26, 2015

To:

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

2014AP375-CRNM State of Wisconsin v. Kieffer L. Michel (L.C. # 2012CF98)

Before Kloppenburg, P.J., Lundsten and Higginbotham, JJ.

By prior order in this no-merit appeal, we stated that we were unable to determine whether the following postconviction issues would be wholly frivolous: (1) a challenge to appellant Kieffer Michel's plea based on a defect in the plea colloquy; and (2) a challenge to the court's decision to impose the DNA surcharge. We directed Attorney Len Kachinsky, appointed counsel for Michel, to review those issues and confer with Michel, and to file a response in this court. Attorney Kachinsky has now filed a response indicating that he has determined that both issues have arguable merit and that Michel wishes to pursue them.

Therefore,

IT IS ORDERED that the no-merit report is rejected and this no-merit appeal is dismissed without prejudice. The time to file a postconviction motion is extended to sixty days from the date of this order.

Diane M. Fremgen
Clerk of Court of Appeals