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**DISTRICT III**

January 5, 2016

To:

Hon. Rod W. Smeltzer  
Circuit Court Judge  
Dunn County Judicial Center  
615 Stokke Parkway, Suite 1500  
Menomonie, WI 54751

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Clerk of Circuit Court  
Dunn County Judicial Center  
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You are hereby notified that the Court has entered the following opinion and order:

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2015AP1975-CRNM      State of Wisconsin v. Scott David Johnson (L. C. No. 2013CF180)

Before Stark, P.J., Hruz and Seidl, JJ.

Counsel for Scott Johnson filed a no-merit report concluding there is no basis to challenge Johnson's convictions entered upon guilty pleas for possession and delivery of methamphetamine. Johnson has submitted an affidavit voluntarily moving to dismiss the appeal after review of the case and the no-merit report. This court is generally obligated to honor an appellant's notice of voluntary dismissal. *See State v. Lee*, 197 Wis. 2d 959, 962, 542 N.W.2d 143 (1996). Johnson's affidavit acknowledges that by dismissing his no-merit appeal, he gives up the right to any direct appeal, his attorney will be discharged and the State Public Defender

will not appoint any other attorney to represent him in this matter. Johnson further represents to this court that he is not under the care of a psychiatrist and did not have any medication, drugs or alcohol within twenty-four hours before the signing of the affidavit. Johnson also confirms that he was not promised anything or threatened in order to waive his right to appeal. Accordingly,

IT IS ORDERED that the appeal is dismissed.

IT IS FURTHER ORDERED that attorney John Bachman is relieved of his obligation to further represent Johnson in this matter. WIS. STAT. RULE 809.32(3) (2013-14).

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