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DISTRICT II

March 11, 2016

To:

Hon. Neal Nettesheim
Reserve Judge

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

2015AP1635-CRNM State of Wisconsin v. Derrick E. Jones (L.C. #2014CF320)

Before Neubauer, C.J., Gundrum and Hagedorn, JJ.

In conducting a no-merit review, a potential issue of arguable merit related to restitution was identified. Appointed counsel was required to file a supplemental no-merit addressing the potential issue. The supplemental no-merit report indicates that there is sufficient merit to a claim and that the appellant, Derrick E. Jones, would like to pursue the issue by a postconviction motion. To return the matter to the circuit court for a postconviction motion we reject the no-

merit report, dismiss the appeal, and extend the time under WIS. STAT. RULE 809.30(2)(h), for filing a postconviction motion.

Upon the foregoing reasons,

IT IS ORDERED that the no-merit report is rejected and Attorney Peter Bockhorst's motion to be relieved of further representation of Derrick E. Jones is denied.

IT IS FURTHER ORDERED that the no-merit appeal is dismissed without prejudice.

IT IS FURTHER ORDERED that the time under WIS. STAT. RULE 809.30(2)(h) for filing a postconviction motion is extended to sixty days from remittitur. *See* WIS. STAT. RULE 809.82(2)(a).

Diane M. Fremgen
Clerk of Court of Appeals