



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215
P.O. BOX 1688
MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880
TTY: (800) 947-3529
Facsimile (608) 267-0640
Web Site: www.wicourts.gov

DISTRICT III/IV

May 4, 2016

To:

Hon. Joseph D. Boles
Circuit Court Judge
414 W Main St.
Ellsworth, WI 54011

Melissa M. Petersen
Petersen Law Firm, L.L.C.
P.O. Box 100
Hager City, WI 54014

Margaret Feuerhelm
Clerk of Circuit Court
Pierce County Courthouse
P.O. Box 129
Ellsworth, WI 54011-0129

Gregory M. Weber
Assistant Attorney General
P.O. Box 7857
Madison, WI 53707-7857

Sean E. Froelich
Pierce County District Attorney
P.O. Box 808
Ellsworth, WI 54011-0808

Zachary James Marek 620438
Waupun Corr. Inst.
P.O. Box 351
Waupun, WI 53963-0351

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

2015AP1024-CRNM State of Wisconsin v. Zachary James Marek (L.C. # 2013CF176)

Before Kloppenburg, P.J., Sherman, and Blanchard, JJ.

By prior order, we questioned whether there would be arguable merit to further proceedings related to appellant Zachary Marek's suppression motion. We also noted that the sentencing court relied on COMPAS assessments, and that there may be arguable merit to a challenge to sentencing depending on the supreme court's decision in *State v. Loomis*, appeal no. 2015AP157-CR. Attorney Melissa Petersen, appointed counsel for Marek, now informs us that she intends to file a postconviction motion claiming ineffective assistance of trial counsel. Attorney Petersen requests that we extend the time to file a postconviction motion or notice of appeal to forty days from the supreme court's decision in *Loomis*.

Therefore,

IT IS ORDERED that the no-merit report is rejected and this no-merit appeal is dismissed.

IT IS FURTHER ORDERED that the time to file a postconviction motion or notice of appeal is extended to forty days from the supreme court's decision in *State v. Loomis*, appeal no. 2015AP157-CR.

Diane M. Fremgen
Clerk of Court of Appeals