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DISTRICT I

June 22, 2016

To:

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

2015AP2090-CRNM State of Wisconsin v. Jeffrey P. Jensen (L.C. # 2014CF2428)

Before Curley, P.J.

By order dated April 25, 2016, this court directed Attorney Urszula Tempska to file a supplemental no-merit report on behalf of Jeffrey P. Jensen. Upon this court's independent review of the record, the no-merit report, and Jensen's response, we noted possible issues relating to imposition of DNA surcharges, sentence credit, and ineffective assistance of counsel.

Attorney Tempska, on behalf of Jensen, now moves to dismiss the appeal and seeks an extension of time for filing a postconviction motion in order to address issues of arguable merit that counsel concluded do exist. Counsel further represents that Jensen agrees with this course of

action. Because a no-merit report is only appropriate if counsel is convinced that an appeal would be wholly frivolous, *see McCoy v. Court of Appeals*, 486 U.S. 429, 437 (1988), this court will grant the motion.

Upon the foregoing,

IT IS ORDERED that the no-merit report in Appeal No. 2015AP2090-CRNM is rejected and the appeal is dismissed without prejudice.

IT IS FURTHER ORDERED that the deadline for filing a postconviction motion or notice of appeal in Milwaukee County Circuit Court case No. 2014CF2428 is extended to August 30, 2016.

Diane M. Fremgen
Clerk of Court of Appeals