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DISTRICT I

June 28, 2016

To:

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

2015AP2206-CRNM	State of Wisconsin v. Chaz Landon Holifield (L.C. # 2014CF1374)
2015AP2207-CRNM	State of Wisconsin v. Chaz Landon Holifield (L.C. # 2014CF1619)
2015AP2208-CRNM	State of Wisconsin v. Chaz Landon Holifield (L.C. # 2014CF4629)
2015AP2209-CRNM	State of Wisconsin v. Chaz Landon Holifield (L.C. # 2015CF472)

Before Curley, P.J.

By order dated May 27, 2016, this court directed Attorney Kiley Zellner to file a supplemental no-merit report on behalf of Chaz Landon Holifield. Upon this court's independent review of the record and the no-merit report, we noted a possible issue relating to use of the domestic abuse modifier on some of the charges in these appeals.

Attorney Zellner, on behalf of Holifield, now moves to dismiss the appeals and seeks an extension of time for filing a postconviction motion in order to address the issue of arguable

merit that counsel concluded does exist. Counsel further represents that Holifield 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 Nos. 2015AP2206-CRNM, 2015AP2207-CRNM, 2015AP2208-CRNM, and 2015AP2209-CRNM is rejected and the appeals are 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 Nos. 2014CF1374, 2014CF1619, 2014CF4629, and 2015CF472 is extended to August 29, 2016.

Diane M. Fremgen
Clerk of Court of Appeals