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DISTRICT II

April 25, 2017

To:

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

2015AP2226-CRNM State of Wisconsin v. Todd H. Neuenschwander
(L.C. # 2013CF497)

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

Our March 9, 2017 order identified issues with arguable merit for appeal. Todd Neuenschwander, by counsel, indicates that he desires to dismiss this WIS. STAT. RULE 809.32 (2015-16) no-merit appeal in favor of a RULE 809.30 postconviction motion. The court will grant the requested relief.

Upon the foregoing reasons,

IT IS ORDERED that the WIS. STAT. RULE 809.32 no-merit report is rejected.

IT IS FURTHER ORDERED that this appeal is dismissed in favor of WIS. STAT. RULE 809.30 proceedings in the circuit court.

IT IS FURTHER ORDERED that a WIS. STAT. RULE 809.30 postconviction motion shall be filed in the circuit court within sixty days of the date of this order.

Diane M. Fremgen
Clerk of Court of Appeals