

§§ 940.225(2)(a), 940.30, 940.19(1), 968.075(1)(a) (2013-14).¹ Hutchins' postconviction/appellate counsel has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 and *Anders v. California*, 386 U.S. 738 (1967). Hutchins filed a response and a number of other submissions while this appeal was pending. We have independently reviewed the record, the no-merit report, and Hutchins' filings. The court previously concluded that a supplemental no-merit report was required to address whether arguably meritorious claims may be raised regarding: (1) the trial court's imposition of DNA surcharges on each of the charges; and (2) the trial court's rulings as to other acts evidence and potential claims of ineffective assistance of trial counsel. We indicated that in the alternative, if counsel identified an issue of merit, he could move to dismiss the appeal and extend the time for filing a postconviction motion.

Attorney Gaertner now moves to dismiss the no-merit report and extend the time for filing a postconviction motion. Because a no-merit report is only appropriate if counsel is convinced that an appeal would be wholly frivolous, *McCoy v. Court of Appeals*, 486 U.S. 429, 437 (1988), this court will grant the request.

Therefore,

IT IS ORDERED that the no-merit report in appeal No. 2015AP1817-CRNM is rejected and the appeal is dismissed without prejudice.

¹ All references to the Wisconsin Statutes are to the 2015-16 version unless otherwise noted.

IT IS FURTHER ORDERED that the deadline for Attorney Gaertner to file a postconviction motion on Hutchins' behalf is extended to July 13, 2017. *See* WIS. STAT. RULE 809.82(2)(a).

IT IS FURTHER ORDERED that this summary disposition order will not be published and may not be cited under WIS. STAT. RULE 809.82(3)(b).

Diane M. Fremgen
Clerk of Court of Appeals