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DISTRICT III

October 2, 2017

To:

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Circuit Court Judge
Fond du Lac County Courthouse
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You are hereby notified that the Court has entered the following opinion and order:

2016AP201-CRNM State of Wisconsin v. Jeffery H. Parkans (L.C. # 2012CF102)

Before Brennan, P.J., Kessler and Dugan, JJ.

Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).

By order dated July 11, 2017, this court directed Attorney Linda J. Schaefer, appellate counsel for Jeffery H. Parkans, to file a supplemental no-merit report in this matter. Attorney Schaefer now requests voluntary dismissal of the no-merit appeal and an extension of appellate deadlines. The requests reflect that counsel believes the case presents at least one arguably meritorious issue. A no-merit appeal is appropriate only if counsel is convinced that further

postconviction proceedings would be wholly frivolous. *See McCoy v. Court of Appeals*, 486 U.S. 429, 437 (1988). Accordingly, the court will grant the relief requested.

IT IS ORDERED that the no-merit report is rejected and this appeal is dismissed without prejudice.

IT IS FURTHER ORDERED that the deadline for filing a postconviction motion or notice of appeal is extended through November 16, 2017. *See* WIS. STAT. RULE 809.82(2)(a) (2015-16).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Diane M. Fremgen
Clerk of Court of Appeals