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DISTRICT I

October 24, 2017

To:

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

2016AP1811-CRNM State v. Shawn T. Holliman (L.C. #2014CF004141)

Before Brennan, P.J.

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).

Shawn T. Holliman appeals from a judgment of conviction for one count of armed robbery as a party to a crime. *See* WIS. STAT. §§ 943.32(2), 939.05 (2013-14).¹ Holliman's postconviction/appellate counsel, Kaitlin A. Lamb, has filed a no-merit report pursuant to WIS.

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

STAT. RULE 809.32 and *Anders v. California*, 386 U.S. 738 (1967). Holliman did not file a response. Based upon our review of the submissions and the record in this matter, we previously concluded that a supplemental report was necessary to address whether there is any arguable merit to challenge the imposition of the DNA surcharge as reflected on the judgment of conviction. We indicated that in the alternative, if counsel identified an issue of merit, she could move to dismiss the appeal and extend the time for filing a postconviction motion.

Attorney Lamb 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. 2016AP1811-CRNM is rejected and the appeal is dismissed without prejudice.

IT IS FURTHER ORDERED that the deadline for Attorney Lamb to file a postconviction motion on Holliman's behalf is extended to December 22, 2017. *See* WIS. STAT. RULE 809.82(2)(a).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Diane M. Fremgen
Clerk of Court of Appeals