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**DISTRICT I**

January 9, 2018

To:

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

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2017AP8-CRNM                      State of Wisconsin v. Allen Tanell Gregory (L.C. # 2015CF4091)

Before Brash, J.<sup>1</sup>

**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).**

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<sup>1</sup> This appeal is decided by one judge pursuant to WIS. STAT. § 752.31(2)(f) (2015-16).

By order dated October 24, 2017, the court directed Attorney Thomas J. Erickson, appellate counsel for Allen Tanell Gregory, to file a supplemental no-merit report in this matter. Attorney Erickson subsequently advised that in his opinion further postconviction proceedings would have arguable merit, and he requested voluntary dismissal of the appeal and an extension of appellate deadlines. 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. Counsel does not state how much time is required to prepare the postconviction submission. The court will establish an appropriate deadline.

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 March 12, 2018. *See WIS. STAT. RULE 809.82(2)(a)* (2015-16).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

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*Diane M. Fremgen*  
*Acting Clerk of Court of Appeals*