



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215
P.O. BOX 1688
MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880
TTY: (800) 947-3529
Facsimile (608) 267-0640
Web Site: www.wicourts.gov

DISTRICT III

June 21, 2018

To:

Hon. Eugene D. Harrington
Circuit Court Judge
Washburn County Courthouse
P.O. Box 339
Shell Lake, WI 54871

Shannon Anderson
Clerk of Circuit Court
Washburn County Courthouse
P.O. Box 339
Shell Lake, WI 54871

Diane Lowe
Lowe Law, L.L.C.
P.O. Box 999
Eau Claire, WI 54702-0999

Angeline E. Winton
District Attorney
P.O. Box 344
Shell Lake, WI 54871

Criminal Appeals Unit
Department of Justice
P.O. Box 7857
Madison, WI 53707-7857

Angelia L. Hoppe
7949 35th Street NW
Parshall, ND 58770

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

2017AP510-CRNM State of Wisconsin v. Angelia L. Hoppe (L.C. # 2015CF91)

Before Stark, P.J., Hruz and Seidl, 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).

Counsel for Angelia Hoppe filed a no-merit report pursuant to WIS. STAT. RULE 809.32,¹ concluding there would be no arguable merit to any possible issues that could be raised by postconviction motion or appeal. Hoppe was informed of her right to file a response to the no-

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

merit report and did not respond. By order dated June 5, 2018, we identified a number of potential issues that the no-merit report failed to adequately address and ordered counsel to either (1) file a supplemental no-merit report explaining why it would be wholly frivolous to pursue any of these potential issues; or (2) move to voluntarily dismiss the matter and to extend the time for filing a postconviction motion.

Counsel has now informed this court that Hoppe wishes to voluntarily dismiss this appeal and move for postconviction relief in the circuit court. We will therefore reject the no-merit report, dismiss the appeal and extend the time for counsel to file a postconviction motion. Counsel also seeks an extension of the time for filing a notice of appeal. That motion will be dismissed as premature. If Hoppe is aggrieved by the circuit court's decision on her postconviction motion, and an extension is needed to file a notice of appeal, she may move this court accordingly at that time.

Upon the foregoing,

IT IS ORDERED that the no-merit report is rejected and the appeal is dismissed.

IT IS FURTHER ORDERED that the time for filing a postconviction motion is extended to August 16, 2018.

IT IS FURTHER ORDERED that the motion to extend the time for filing a notice of appeal is dismissed as premature.

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

Sheila T. Reiff
Clerk of Court of Appeals