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DISTRICT I

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To:

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

2020AP715-CRNM State of Wisconsin v. Kamari M. Hudson (L.C. # 2018CF2556)

Before Brash, P.J., Dugan and Donald, 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).

Kamari Hudson appeals from a judgment of conviction for first-degree recklessly endangering safety, operating a motor vehicle while eluding an officer and causing property damage, two counts of felony bail jumping, and obstructing an officer. His appellate counsel filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2017-18),¹ and *Anders v. California*, 386 U.S. 738 (1967). In his response, Hudson claimed that he was denied the effective assistance of trial counsel because trial counsel did not present a certain witness at trial.

¹ All references to the Wisconsin Statutes are to the 2017-18 version unless otherwise noted.

We required appellate counsel to file a supplemental no-merit report on that potential issue or move to dismiss the appeal if counsel determined that a no-merit conclusion was not possible.

Appellate counsel moves to dismiss the appeal in favor of an extension of time to file a postconviction motion.² Based on further investigation, appellate counsel now concludes there is an arguably meritorious issue. The requested relief is appropriate.

Upon the foregoing reasons,

IT IS ORDERED that the no-merit report is rejected and Attorney Michael S. Holzman's motion to withdraw from representation is denied.

IT IS FURTHER ORDERED that the no-merit appeal is dismissed without prejudice.

IT IS FURTHER ORDERED that the time for Kamari M. Hudson to file a postconviction motion or notice of appeal under WIS. STAT. RULE 809.30(2)(h), is extended to forty-five days from the date of this opinion and order.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals

² In the motion to dismiss the appeal, appellate counsel withdraws a motion for an extension of time to file the supplemental no-merit report which was filed one day before the motion to withdraw. The extension motion is withdrawn and we take no action on it.