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DISTRICT IV

January 7, 2021

To:

Hon. Todd W. Bjerke
Circuit Court Judge
La Crosse County Courthouse
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La Crosse, WI 54601

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Wesley L. Klyce
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You are hereby notified that the Court has entered the following opinion and order:

2019AP1834-CRNM State of Wisconsin v. Wesley L. Klyce (L.C. # 2016CF844)

Before Fitzpatrick, P.J., Blanchard, and Kloppenburg, 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).

Attorney Diane Lowe, appointed counsel for Wesley Klyce, previously filed a no-merit report and supplemental no-merit report seeking to withdraw as appellate counsel pursuant to WIS.

STAT. RULE 809.32 (2017-18)¹ and *Anders v. California*, 386 U.S. 738 (1967). In an order dated December 11, 2020, this court directed counsel to review two potential issues that this court identified and to file an appropriate response. Counsel has now responded by seeking voluntary dismissal under WIS. STAT. RULE 809.18 and moving for an extension of the time to file a postconviction motion. Based on counsel's response, we infer that counsel has determined that there are one or more issues of arguable merit that Klyce wishes to pursue.

Therefore,

IT IS ORDERED that the no-merit report is rejected and that this appeal is dismissed without prejudice pursuant to the notice of voluntary dismissal.

IT IS FURTHER ORDERED that the time to file a postconviction motion is extended to February 16, 2021.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals

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