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DISTRICT III

September 2, 2021

To:

Hon. James R. Habeck
Electronic Notice

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Electronic Notice

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Shawano County Clerk of Circuit Court
Electronic Notice

Matthew S. Pinix
Electronic Notice

Winn S. Collins
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Angela Dawn Wenzel
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John M. Groenewold 668552
Oshkosh Correctional Inst.
P.O. Box 3310
Oshkosh, WI 54903-3310

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

2019AP1184-CRNM State of Wisconsin v. John M. Groenewold (L.C. # 2017CF1)

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

Appellant John Groenewold has notified this court that he wants to voluntarily dismiss this no-merit appeal to pursue postconviction relief in the circuit court with successor counsel. Groenewold moves to extend the time to file a postconviction motion or notice of appeal by 120 days, in line with the amount of time normally allotted for production of the transcripts and counsel's review of the record. We will grant an extension, but are not persuaded that 120 days are required when the transcripts have already been produced. In light of the substitution of

counsel and voluntary dismissal of the appeal, we will treat prior counsel's no-merit report as having been withdrawn.

Therefore,

IT IS ORDERED that the appeal is hereby dismissed without prejudice pursuant to WIS. STAT. § 809.18 and no further action will be taken on the no-merit report.

IT IS FURTHER ORDERED that the time to file a postconviction motion or notice of appeal in this matter is extended to November 1, 2021.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals