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DISTRICT IV

November 24, 2021

To:

Hon. Barbara W. McCrory
Circuit Court Judge
Electronic Notice

Jacki Gackstatter
Clerk of Circuit Court
Rock County Courthouse
Electronic Notice

Winn S. Collins
Electronic Notice

Steven Roy
Electronic Notice

Cheniqua LaVette White
Electronic Notice

Mauricio Armondo Perez 571144
Wisconsin Secure Program Facility
P.O. Box 1000
Boscobel, WI 53805-1000

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

2020AP1263-CRNM State of Wisconsin v. Mauricio Armondo Perez
(L.C. # 2017CF2037)

Before Kloppenburg, Graham, and Nashold, 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 Mauricio Perez filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2019-20), concluding that there would be no arguable merit to any possible issues that could be raised by postconviction motion or appeal. Perez filed a response arguing that he is entitled to sentence credit for time spent in custody while awaiting sentencing. We directed counsel to either (1) file a supplemental no-merit report explaining why it would be wholly frivolous to pursue this

potential issue; or (2) move to voluntarily dismiss the matter and to extend the time for filing a postconviction motion.

Counsel has filed a response informing this court that, after further review of Perez's case, he has determined that there is an issue of arguable merit with respect to sentence credit. Perez, by counsel, therefore moves to voluntarily dismiss this appeal and to extend the time for filing a postconviction motion.

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 thirty days from the date of remittitur.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals