



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 IV

August 4, 2022

To:

Hon. Todd J. Hepler
Circuit Court Judge
Electronic Notice

Lori Banovec
Clerk of Circuit Court
Adams County Courthouse
Electronic Notice

Tania M. Bonnett
Electronic Notice

Winn S. Collins
Electronic Notice

Patricia Sommer
Electronic Notice

Jacquet D. Jenkins Sr. 680303
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:

2021AP1088-CRNM State of Wisconsin v. Jacquet D. Jenkins, Sr. (L.C. # 2017CF173)

Before Blanchard, P.J., Fitzpatrick, and Graham, 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 Patricia Sommer, appointed counsel for Jacquet Jenkins, Sr., has filed a no-merit report seeking to withdraw as appellate counsel. *See* WIS. STAT. RULE 809.32 (2019-20)¹ and *Anders v. California*, 386 U.S. 738, 744 (1967). By prior order, we informed Attorney Sommer that we were unable to determine whether further proceedings would be wholly frivolous. We requested further input from counsel as to whether there would be arguable merit

¹ All references to the Wisconsin Statutes are to the 2019-20 version unless otherwise noted.

to a claim that trial counsel was ineffective by failing to object to the State's sentencing arguments on grounds that they amounted to a breach of the plea agreement.

Attorney Sommer now informs this court that she has researched the issue and consulted with Jenkins. Counsel requests that this court dismiss the no-merit appeal so that counsel may pursue a postconviction motion on Jenkins' behalf. Accordingly, we reject the no-merit report and extend the time to file a postconviction motion.

Therefore,

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

IT IS FURTHER ORDERED that the time to file a postconviction motion or notice of appeal is extended to thirty days from the date of this order.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals