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DISTRICT I

September 13, 2022

To:

Hon. Glenn H. Yamahiro
Circuit Court Judge
Electronic Notice

George Christenson
Clerk of Circuit Court
Milwaukee County
Electronic Notice

Winn S. Collins
Electronic Notice

John D. Flynn
Electronic Notice

Urszula Tempska
Electronic Notice

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

2021AP1516-CRNM State of Wisconsin v. Leonard C. White (L.C. # 2018CF1327)

Before Brash, C.J., Donald, P.J., and White, J.

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).

By order dated August 9, 2022, this court directed Attorney Urszula Tempska, appellate counsel for Leonard C. White, to file a supplemental no-merit report in this matter. Attorney Tempska now advises that the case presents at least one arguably meritorious issue and requests voluntary dismissal of the no-merit appeal and an extension of appellate deadlines under WIS. STAT. RULE 809.30 (2019-20).[1] A no-merit appeal is appropriate only if counsel is convinced that further postconviction proceedings would be wholly frivolous. *See McCoy v. Court of Appeals*, 486 U.S. 429, 437 (1988). Accordingly, the court will grant the relief sought.

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

IT IS ORDERED that the no-merit report is rejected and this appeal is dismissed without prejudice.

IT IS FURTHER ORDERED that the deadline for filing a postconviction motion or notice of appeal pursuant to WIS. STAT. RULE 809.30 is extended through December 12, 2022. *See* WIS. STAT. RULE 809.82(2)(a).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals