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**DISTRICT II**

April 26, 2023

To:

Hon. Robert J. Wirtz  
Circuit Court Judge  
Electronic Notice

Ramona Geib  
Clerk of Circuit Court  
Fond du Lac County Courthouse  
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James Earl Sifore Jr., #663682  
Chippewa Valley Correctional Treatment  
Facility  
2909 E. Park Ave.  
Chippewa Falls, WI 54729

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

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2020AP1980-CRNM      State of Wisconsin v. James Earl Sifore, Jr. (L.C. #2019CF405)

Before Gundrum, P.J., Grogan and Lazar, 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 James Earl Sifore, Jr., filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2021-22), concluding that there would be no arguable merit to any possible issues that could be raised by postconviction motion or appeal. Sifore was informed of his right to file a response to the no-merit report, and he did not respond. By order dated March 10, 2023, we identified a potential issue that the no-merit report failed to adequately address, and we ordered 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 this no-merit appeal and to extend the time for filing a postconviction motion.

Sifore, by counsel, now moves to voluntarily dismiss this appeal and to extend the time for filing a postconviction motion. Based upon the representations in the motion and counsel's accompanying affidavit, we will reject the no-merit report, dismiss the appeal, and extend the time for counsel to file 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 this order.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

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*Sheila T. Reiff*  
*Clerk of Court of Appeals*