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DISTRICT I

May 28, 2013

To:

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

2012AP1894-CRNM   State of Wisconsin v. Devon Adams (L.C. #2011CF1352)

Before Curley, P.J.

By order dated April 23, 2013, this court directed Attorney Charles David Betthauser, appellate counsel for Devon Adams, to file a supplemental no-merit report in regard to this matter. Counsel has responded, advising he now concludes that arguably meritorious issues exist. Counsel therefore moves to dismiss this no-merit appeal and to extend the deadline for seeking postconviction relief or filing a notice of appeal. A no-merit proceeding is appropriate

only if counsel is convinced that an appeal would be wholly frivolous. *McCoy v. Court of Appeals*, 486 U.S. 429, 437 (1988). Accordingly, the court will grant the motions.

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

IT IS FURTHER ORDERED that the deadline for filing a postconviction motion or notice of appeal is extended through July 12, 2013. *See* WIS. STAT. RULE 809.82(2)(a) (2011-12).

Diane M. Fremgen
Clerk of Court of Appeals