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DISTRICT I

June 3, 2013

To:

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Circuit Court Judge
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You are hereby notified that the Court has entered the following order:

2012AP2373-CRNM	State of Wisconsin v. Jameel Alheyemi Darrah (L.C. #2011CF3418)
2012AP2374-CRNM	State of Wisconsin v. Jameel Alheyemi Darrah (L.C. #2011CF4864)

Before Curley, P.J.

We consolidated these no-merit appeals for briefing and disposition purposes on the motion of Attorney Dustin C. Haskell, counsel for the appellant, Jameel Alheyemi Darrah. Counsel now advises that he believes appeal No. 2012AP2374-CRNM presents an issue of arguable merit that should be addressed by postconviction motion. Counsel therefore moves to separate the appeals, to dismiss appeal No. 2012AP2374-CRNM, and to extend the deadline for seeking postconviction relief in that matter. A no-merit proceeding is appropriate only in those

cases where 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 appeal Nos. 2012AP2373-CRNM and 2012AP2374-CRNM are no longer consolidated, effective on the date of this order.

IT IS FURTHER ORDERED that the no-merit report as to appeal No. 2012AP2374-CRNM is rejected and that appeal is voluntarily dismissed without prejudice.

IT IS FURTHER ORDERED that the deadline for filing a postconviction motion or notice of appeal in the matter underlying appeal No. 2012AP2374-CRNM is extended through July 18, 2013. *See* WIS. STAT. RULE 809.82(2)(a) (2011-12).

Diane M. Fremgen
Clerk of Court of Appeals