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**DISTRICT I**

October 31, 2014

To:

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

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2014AP1170-CRNM      State of Wisconsin v. Marcos A. Colin (L.C. #2012CF5357)

Before Curley, P.J.

By order dated September 16, 2014, this court directed Attorney Marcella De Peters, appellate counsel for Marcos A. Colin, to file a supplemental no-merit report in this matter. Attorney De Peters now advises that, in her view, the case presents an arguably meritorious issue. Counsel therefore seeks voluntary dismissal of the no-merit appeal and an extension of the deadline for pursuing postconviction relief in the circuit court. 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 motion.

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 is extended through December 15, 2014. *See* WIS. STAT. RULE 809.82(2)(a) (2011-12).

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*Diane M. Fremgen*  
*Clerk of Court of Appeals*