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DISTRICT IV

March 21, 2016

To:

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

2015AP294-CRNM	State of Wisconsin v. Alvin A. Tubbs (L.C. # 2013CF1251)
2015AP295-CRNM	State of Wisconsin v. Alvin A. Tubbs (L.C. # 2013CF1373)

Before Kloppenburg, P.J.

By order dated January 6, 2016, we directed Attorney Ryan McNamara to obtain and review a missing transcript, and also to review whether there would be arguable merit to a postconviction motion for plea withdrawal based on statements in appellant Alvin Tubbs' no-merit response. Attorney McNamara now informs us that he has obtained and reviewed the missing transcript, reviewed the plea withdrawal issue, and consulted with Tubbs. Attorney

McNamara informs us that he has identified an issue of arguable merit and that Tubbs wishes to pursue it.

Therefore,

IT IS ORDERED that the no-merit report is rejected and this no-merit appeal is dismissed.

IT IS FURTHER ORDERED that the time to file a postconviction motion or notice of appeal is extended to sixty days from the date of this order.

Diane M. Fremgen
Clerk of Court of Appeals