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DISTRICT I

March 22, 2016

To:

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

2015AP2339-CRNM State of Wisconsin v. Quioness C. Butler (L.C. #2013CF34)

Before Curley, P. J.

By order dated February 24, 2016, this court directed Attorney Carl W. Chesshir, appellate counsel for Quioness C. Butler, to file a supplemental no-merit report in regard to this matter. Attorney Chesshir now advises that, in his view, the no-merit appeal should be dismissed to permit Butler to pursue a postconviction motion. Counsel therefore seeks voluntary dismissal of the no-merit appeal and an extension of appellate deadlines. 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 requested relief.

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 a notice of appeal is extended through May 23, 2016. *See* WIS. STAT. RULE 809.82(2)(a) (2013-14).

Diane M. Fremgen
Clerk of Court of Appeals