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**WISCONSIN COURT OF APPEALS**

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**DISTRICT I**

April 13, 2016

To:

Hon. John Siefert  
Circuit Court Judge  
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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2015AP1626-CRNM      State of Wisconsin v. Otis Ralph Patterson, III  
(L.C. #2014CM4851)

Before Brennan, J.

By order dated February 19, 2016, we held this matter in abeyance because the state public defender sought leave to appoint successor counsel for the appellant, Otis Ralph Patterson, III. Successor counsel, Attorney Christopher D. Sobic, now moves to lift the hold. Counsel also advises that, in his view, the no-merit appeal filed by predecessor counsel should be dismissed to permit Patterson to pursue further proceedings on the merits. 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 relief requested.

IT IS ORDERED that the hold imposed in this matter is lifted.

IT IS FURTHER 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 June 10, 2016. *See* WIS. STAT. RULE 809.82(2)(a) (2013-14).

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