



OFFICE OF THE CLERK
WISCONSIN COURT OF APPEALS

110 EAST MAIN STREET, SUITE 215

P.O. BOX 1688

MADISON, WISCONSIN 53701-1688

Telephone (608) 266-1880

TTY: (800) 947-3529

Facsimile (608) 267-0640

Web Site: www.wicourts.gov

DISTRICT I

October 13, 2025

To:

Hon. Jean M. Kies
Circuit Court Judge
Electronic Notice

John Blimling
Electronic Notice

Anna Hodges
Clerk of Circuit Court
Milwaukee County Safety Building
Electronic Notice

Brian Patrick Mullins
Electronic Notice

Niclous Daniel Torres 538457
Fox Lake Correctional Institution
W10237 Lake Emily Road
Fox Lake, WI 53933

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

2024AP671-CRNM State of Wisconsin v. Niclous Daniel Torres (L.C. # 2020CF3298)

Before Colón, P.J., Donald, and Geenen, JJ.

Summary disposition orders may not be cited in any court of this state as precedent or authority, except for the limited purposes specified in WIS. STAT. RULE 809.23(3).

Appellate counsel for Niclous Daniel Torres, Attorney Brian Patrick Mullins, filed a no-merit report in this matter. *See* WIS. STAT. RULE 809.32 (2023-24).¹ By order dated September 18, 2025, we directed Attorney Mullins to file a supplemental no-merit report. Attorney Mullins now advises that further proceedings would have arguable merit. He therefore requests voluntary dismissal of this appeal and an extension of appellate deadlines to permit the filing of a postconviction motion under WIS. STAT. RULE 809.30(2)(h). A no-merit appeal is

¹ All references to the Wisconsin Statutes are to the 2023-24 version.

appropriate only if counsel is convinced that further postconviction proceedings would be wholly frivolous. *McCoy v. Court of Appeals*, 486 U.S. 429, 438 (1988). Accordingly, the court will grant the relief requested.

IT IS ORDERED that the no-merit report in this matter is rejected and this appeal is dismissed without prejudice. *See* WIS. STAT. RULE 809.18(1).

IT IS FURTHER ORDERED that the deadline for Torres to file a postconviction motion or notice of appeal pursuant to WIS. STAT. RULE 809.30 is extended through the date 60 days after remittitur. *See* WIS. STAT. RULE 809.82(2)(a).

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals