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DISTRICT IV

December 27, 2024

To:

Hon. Kristine A. Snow
Circuit Court Judge
Electronic Notice

Kelly Enright
Clerk of Circuit Court
Dodge County Justice Facility
Electronic Notice

Marcella De Peters
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

Matthew James Courtois 704014
Columbia Corr. Inst.
P.O. Box 900
Portage, WI 53901-0900

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

2022AP2159-CRNM State of Wisconsin v. Matthew James Courtois
(L.C. # 2019CF273)

Before Kloppenburg, P.J., Graham, and Taylor, 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).

Attorney Marcella De Peters, appointed counsel for appellant James Courtois, filed a no-merit report seeking to withdraw as appellate counsel. In a subsequent order, this court questioned whether there would be arguable merit to a postconviction motion for plea withdrawal on grounds that the record does not contain a factual basis for Courtois' no-contest plea to count three in the amended information. This court directed no-merit counsel to review the issue and consult with Courtois. The order explained that, if counsel concluded that there is any issue of arguable merit

to pursue and that Courtois wishes to pursue it, counsel may file a notice of voluntary dismissal and move to extend appellate deadlines. In response to that order, counsel has filed a notice of voluntary dismissal of this no-merit appeal and moves to extend the time to file a postconviction motion. Based on counsel's response, we will reject the no-merit report, dismiss the appeal, and extend the time for counsel to file a postconviction motion.

Therefore,

IT IS ORDERED that the no-merit report is rejected, and the no-merit appeal is dismissed without prejudice.

IT IS FURTHER ORDERED that the time to file a postconviction motion is extended to February 17, 2025.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals