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DISTRICT III

March 25, 2025

To:

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Circuit Court Judge
Electronic Notice

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

2024AP787-CRNM	State of Wisconsin v. Jessica Bonnie Barry
2024AP788-CRNM	(L. C. Nos. 2021CF198, 2022CF74, 2022CF84, 2022CF85)
2024AP789-CRNM	
2024AP790-CRNM	

Before Stark, P.J., Hruz and Gill, 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).

Counsel for Jessica Bonnie Barry has filed a no-merit report pursuant to WIS. STAT. RULE 809.32 (2023-24),¹ concluding that no grounds exist to challenge Barry's convictions for five offenses in four separate circuit court cases. On the same day that counsel filed the no-merit

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

report, he filed a letter informing this court that, because Barry had died before he was appointed to represent her, he could not certify that he had complied with the counseling and notification requirements in WIS. STAT. RULE 809.32(1)(b). Similarly, counsel stated that he had been unable to serve a copy of the no-merit report on Barry, as required by RULE 809.32(1)(d). Counsel asked this court to accept the no-merit report, despite these deficiencies.

Based on the information provided in appellate counsel's letter, this court questioned whether we could proceed with a no-merit report. We therefore ordered counsel to file a response addressing that issue.

Appellate counsel has now filed a notice of voluntary dismissal. He states that after discussing this matter with the Office of the State Public Defender, he believes "that the notices of no-merit appeal and no-merit report were improvidently filed," and he "now understand[s] the proper procedure would have been to close the file without action." Counsel therefore asserts that "voluntary dismissal of these no-merit appeals would be the appropriate course of action at this time." Accordingly, we reject the no-merit report and dismiss these appeals.

Upon the foregoing,

IT IS ORDERED that the hold previously imposed in these appeals is lifted, the no-merit report is rejected, and the appeals are dismissed.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Samuel A. Christensen
Clerk of Court of Appeals