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**WISCONSIN COURT OF APPEALS**

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**DISTRICT IV**

February 26, 2013

To:

Hon. William F. Hue  
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Jefferson County Courthouse  
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You are hereby notified that the Court has entered the following opinion and order:

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2011AP1715-CRNM      State of Wisconsin v. Daniel J. McDermott (L.C. #2010CF16)

Before Lundsten, P.J., Higginbotham and Blanchard, JJ.

In response to our order of January 8, 2013, directing appellant's counsel to review an additional issue, counsel now asks that we dismiss the no-merit appeal and allow a postconviction motion.

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

IT IS FURTHER ORDERED that the time to file a postconviction motion is extended to thirty days from the date of this order.

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