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Supreme Court of Wisconsin

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CLERK OF WISCONSIN
SUPREME COURT

November 10, 2023

To:

Hon. Mark A. Sanders
Circuit Court Judge
Electronic Notice

Anna Hodges
Clerk of Circuit Court
Electronic Notice

Jennifer L. Vandermeuse
Electronic Notice

Porfirio Viveros 617772
Redgranite Correctional Inst.
P.O. Box 925
Redgranite, WI 54970-0925

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Racine WI 53403-1566

Faun Moses
State Public Defender's Office
101 E. Milwaukee St., Ste. 503
Janesville, WI 53545

You are hereby notified that the Court, by its Clerk and Commissioners, has entered the following order:

No. 2023AP1613-W Viveros v. Gierach, L.C.#2013CF2600

In a decision dated December 12, 2017, the court of appeals affirmed a judgment convicting Porfirio Viveros after a jury trial of five counts of repeated sexual assault of a child, as well as a circuit court order denying his motion for postconviction relief. See State v. Viveros, 2016AP1043-CR, unpublished slip op. (Wis. Ct. App. Dec. 12, 2017). Attorney John A. Cabranes represented Mr. Viveros on appeal.

On September 1, 2023, Mr. Viveros, pro se, filed a petition for writ of habeas corpus in which he appears to allege that Attorney Cabranes was ineffective for failing to petition this court to review the court of appeals' decision referenced above. It does not appear that Attorney Cabranes received a copy of Mr. Viveros' habeas petition. Attorney Cabranes is entitled to an opportunity to respond to Mr. Viveros' allegations. Accordingly,

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IT IS ORDERED that within 30 days of the date of this order, Attorney John A. Cabranes shall file a letter/response to Mr. Viveros' allegations. A copy of Mr. Viveros' habeas petition (excluding the appendix) is enclosed with Attorney Cabranes' copy of this order.

Samuel A. Christensen
Clerk of Supreme Court