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Supreme Court of Wisconsin

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April 6, 2018

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

Nos. 2018AP60-CRLV State v. Xu L.C.#2017CF1259
2018AP61-W Xu v. Circuit Court for Waukesha County L.C.#2017CF1259

Chen Xu, by counsel, has filed a petition for review referencing two orders of the court of appeals: (1) a March 1, 2018 order in State v. Chen Xu, No. 2018AP60-CRLV, in which the court of appeals denied permission to appeal from a nonfinal circuit court order declining to conduct a de novo hearing on Xu's motion to dismiss a criminal complaint against him "until such time as [Xu] appears before [the circuit] court"; and (2) a March 2, 2018 order in State ex rel. Chen Xu v. Circuit Court for Waukesha County, No. 2018AP61-W, in which the court of

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appeals denied Xu's petition for a supervisory writ requesting that the court direct the circuit court to conduct a de novo hearing on Xu's motion to dismiss the criminal complaint against him.

IT IS ORDERED that the petition for review is dismissed. Xu states in his petition that he "is not asking for review of the court of appeals' denial of the petition for supervisory writ. A supervisory writ would not give the defendant justice at this point in this case." Thus, the only matter of which Xu seeks review is the court of appeals' March 1, 2018 order denying leave to appeal from the nonfinal order of the circuit court—an order that this court will not review. See Aparacor, Inc. v. DILHR, 97 Wis. 2d 399, 403, 293 N.W.2d 545 (1980) ("Where the court of appeals denies permission to appeal from an order conceded by the parties to be nonfinal, no review by this court is permitted.")

Sheila T. Reiff
Clerk of Supreme Court