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DISTRICT IV

June 2, 2023

To:

Hon. James P. Daley
Circuit Court Judge
Electronic Notice

Amanda Nelson
Clerk of Circuit Court
Rock County Courthouse
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David J. O'Leary
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Casey Angus Strain
1811 Mitchell St.
Janesville, WI 53545

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

2021AP1578-CRNM State of Wisconsin v. Casey Angus Strain (L.C. # 2016CF985)

Before Kloppenburg, Fitzpatrick, and Graham, 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).

In response to this court's order of April 3, 2023, counsel for appellant Casey Strain informs us that he has concluded that there is an issue with arguable merit regarding sentence credit. Accordingly, we reject the no-merit report and extend the time to pursue that issue. Counsel informs us that, as of May 1, 2023, Strain had not responded to a letter from counsel on this subject, and counsel asks for direction. If Strain chooses not to pursue an issue with arguable merit, that is a matter between Strain and his attorney, but it does not affect the outcome of this appeal.

IT IS ORDERED that the no-merit report is rejected and this 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.

IT IS FURTHER ORDERED that this summary disposition order will not be published.

Sheila T. Reiff
Clerk of Court of Appeals