

# Wisconsin Supreme Court and Court of Appeals Case Access

State v. Daimon Von Jackson, Jr.

Appeal Number 2019AP002383 - CR

Supreme Court

## CASE HISTORY

Status	Court	Filing Date	Anticipated Due Date	Activity
OCCD	SC	06-21-2023		Remittitur
OCCD	SC	05-12-2023		Published Opinion Citation
		407 Wis. 2d 73		
OCCD	SC	05-12-2023		Published Opinion Citation
		989 N.W.2d 555		
OCCD	SC	05-12-2023		<a href="#">Opinion/Decision</a>
		Judge Panel: Roggensack, Bradley, Ziegler, Bradley, Dallet, Hagedorn, Karofsky Opinion: Per Curiam Decision: Dismissed Pages: 2 Bradley, Rebecca Grassl Wrote Concurring Opinion 7 pages. Ziegler, Annette K. Joined Concurring Opinion Hagedorn, Brian K. Joined Concurring Opinion Additional Judge Action:Joined concurrence except for Paragraph 3. Bradley, Ann Walsh Wrote Dissenting Opinion 7 pages. Dallet, Rebecca F. Joined Dissenting Opinion Order Text: The review of the decision of the court of appeals is dismissed as improvidently granted. Comment: Opinion/Decision - Supreme Court		
OCCD	SC	05-11-2023		Public Domain Citation
		Comment: PDC No: 2023 WI 37		
OCCD	SC	11-29-2022		Oral Argument
		Comment: 1st case, 9:45 a.m. (Capitol SC Hearing Room). Melinda A. Swartz for Defendant-Appellant-Petitioner. Lisa E.F. Kumfer for Plaintiff-Respondent.		
OCCD	SC	11-09-2022		Letter/Correspondence
		Comment: Cover Letter to Reply Brief-Supreme Court		
OCCD	SC	11-08-2022		Reply Brief-Supreme Court
		<a href="#">Reply Brief-Supreme Court</a>		

OCCD SC 11-03-2022 Letter/Correspondence  
Comment: Cover Letter to Motion to Extend Time (BR3)

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OCCD SC 11-03-2022 Motion to Extend Time  
Filed By: Melinda Swartz  
Submit Date: 11-4-2022  
Decision: (G) Grant  
Decision Date: 11-4-2022  
IT IS ORDERED that the motion for an extension of time is granted.  
See BR3 event due on 11-9-2022  
Comment: Motion to Extend Time (BR3); 11/04/2022 Court Order

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OCCD SC 10-27-2022 Letter/Correspondence  
Comment: Cover Letter to BR2

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OCCD SC 10-27-2022 [Response Brief-Supreme Court](#)  
[Response Brief-Supreme Court](#)  
Filed By: Lisa Kumfer

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OCCD SC 10-13-2022 Supplement to Record  
Comment: ELECTRONICALLY FILED

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OCCD SC 10-10-2022 Letter/Correspondence  
Comment: Cover Letter to Reply to Response to Motion to Correct/Supplement the Record

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OCCD SC 10-10-2022 Response  
Comment: Petitioner's Reply to State's Response to Motion to Correct/Supplement the Record

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OCCD SC 10-05-2022 Order  
IT IS ORDERED that, on or before October 10, 2022, defendant-appellant-petitioner, Daimon Von Jackson, shall file a reply to the State's response. No extension of this deadline will be granted.  
Comment: 10/05/2022 Court Order

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OCCD SC 10-04-2022 Letter/Correspondence  
Comment: Cover Letter to State's Response to Motion to Supplement the Record

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OCCD SC 10-04-2022 Response  
Comment: State's Response to Motion to Correct/Supplement the Record

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OCCD SC 10-03-2022 Order  
IT IS ORDERED that plaintiff-respondent, State of Wisconsin, shall file a written response to this motion by no later than October 7, 2022.  
Comment: 10/03/2022 Court Order

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OCCD SC 09-30-2022 Letter/Correspondence  
Comment: Cover Letter to First Brief - Supreme Court

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OCCD SC 09-30-2022 Motion to Correct/Supplement Record

Filed By: Melinda Swartz

Submit Date: 9-30-2022

Decision: (G) Grant

Decision Date: 10-13-2022

IT IS ORDERED that the motion to supplement the record is granted. The clerk of circuit court shall immediately transmit record numbers 41 and 44, described above, by supplemental return; and

IT IS FURTHER ORDERED that the States response brief shall be filed by October 27, 2022, and that Mr. Jackson shall either file a reply brief or a statement that no reply brief will be filed by November 7, 2022. With a firm oral argument date of November 29, 2022, there is no time available for additional extensions, so none will be granted.

Motion Response

Filed By: Lisa Kumfer

Submit Date: 10-4-2022

Motion Response

Filed By: Melinda Swartz

Submit Date: 10-10-2022

Comment: Motion to Correct/Supplement Record; Response to Motion to Correct/Supplement Record; Petitioner's Reply to State's Response to Motion to Correct/Supplement Record; 10/13/2022 Court Order

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OCCD SC 09-30-2022 First Brief-Supreme Court  
[First Brief - Supreme Court](#)

Filed By: Melinda Swartz

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OCCD SC 09-29-2022 Letter/Correspondence  
Comment: Cover Letter to Motion to Extend Time (BR1, 4)

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OCCD SC 09-29-2022 Motion to Extend Time

Filed By: Melinda Swartz

Submit Date: 9-30-2022

Decision: (G) Grant

Decision Date: 9-30-2022

IT IS ORDERED that the motion is granted.

See BR1 event due on 9-29-2022

Comment: Motion to Extend Time (BR1, 4); 09/30/2022 Court Order

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OCCD SC 09-19-2022 Letter/Correspondence  
Comment: Cover Letter to Motion to Extend Time (BR1 3)

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OCCD SC 09-19-2022 Motion to Extend Time

Filed By: Melinda Swartz

Submit Date: 9-19-2022

Decision: (G) Grant

Decision Date: 9-21-2022

IT IS ORDERED that the motion for an extension of time is granted. The

defendant-appellant-petitioner's initial brief shall be served and filed on or before September 29, 2022. In light of the approaching November 29, 2022 oral argument date, absolutely no further extensions for defendant-appellant-petitioner will be considered or granted.

See BR1 event due on 9-29-2022

Comment: Motion to Extend Time (BR1 3) 09-21-2022 Court Order

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OCCD SC 08-26-2022 Assigned for Oral Argument

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OCCD SC 08-25-2022 Letter/Correspondence

Comment: Cover Letter to Motion to Extend Time (BR1 2)

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OCCD SC 08-25-2022 Motion to Extend Time

Filed By: Melinda Swartz

Submit Date: 8-25-2022

Decision: (G) Grant

Decision Date: 8-26-2022

IT IS ORDERED that the motion for an extension of time is granted. The defendant-appellant-petitioner's initial brief shall be served and filed on or before September 19, 2022.

This is the final extension of time that will be granted to defendant-appellant-petitioner.

See BR1 event due on 9-19-2022

Comment: Motion to Extend Time (BR1 2) 0-8-26-2022 Court Order

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OCCD SC 08-11-2022 Supplement to Record

Comment: ELECTRONICALLY FILED

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OCCD SC 06-23-2022 Letter/Correspondence

Comment: Cover Letter to Motion to Correct/Supplement Record and Extend Time (BR1 2)

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OCCD SC 06-23-2022 Motion to Correct/Supplement Record

Filed By: Melinda Swartz

Submit Date: 6-23-2022

Decision: (G) Grant

Decision Date: 7-25-2022

IT IS ORDERED that the motion to supplement the record is granted. The clerk of circuit court shall immediately transmit record Item #183, Exhibits 1-5 by supplemental return; and,

IT IS FURTHER ORDERED that the motion for an extension of time is also granted. The

defendant-appellant-petitioner's initial brief shall be served and filed on or before August 26, 2022.

Comment: Motion to Correct/Supplement Record and Extend Time (BR1 2) 07/25/2022 Court Order

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OCCD SC 04-08-2022 Letter/Correspondence

Comment: Cover Letter to Motion to Extend Time (BR1)

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OCCD SC 04-08-2022 Motion to Extend Time

Filed By: Melinda Swartz

Submit Date: 4-8-2022

Decision: (G) Grant

Decision Date: 4-11-2022

IT IS ORDERED that the motion is granted. Defendant-appellant-petitioner's initial brief shall be served and filed on or before June 24, 2022.

See BR1 event due on 6-24-2022  
Comment: Motion to Extend Time (BR1) 04-11-2022 Court Order

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OCCD SC 04-07-2022 Notice of Appearance  
Comment: Attorney Melinda A. Swartz for the Petitioner

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OCCD SC 03-28-2022 State Public Defender Order Appointing Counsel  
Comment: Attorney Melinda A. Swartz

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OCCD SC 03-21-2022 Court Changed to Supreme Court

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OCCD SC 01-28-2022 Fee Waived  
Comment: SPD appointed

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OCCD SC 01-28-2022 Petition for Review  
[Response to Petition for Review](#)  
[Petition for Review](#)

Filed By: Parker Mathers  
Submit Date: 2-14-2022  
Decision: (G) Grant  
Decision Date: 3-21-2022

IT IS ORDERED that the petition for review is granted and that pursuant to Wis. Stat. (Rule) 809.62(6), the defendant-appellant-petitioner may not raise or argue issues not set forth in the petition for review unless otherwise ordered by the court; and

IT IS FURTHER ORDERED that pursuant to Wis. Stat. (Rules) 809.62(6) and 809.63, within 30 days after the date of this order the defendant-appellant-petitioner must file a brief in this court; that within 20 days of filing the plaintiff-respondent, State of Wisconsin, must file either a brief or a statement that no brief will be filed; and that if a brief is filed by the plaintiff-respondent, within 10 days of filing the defendant-appellant-petitioner must file either a reply brief or a statement that no reply brief will be filed; and

IT IS FURTHER ORDERED that in any brief filed in this court the parties shall not incorporate by reference any portion of their court of appeals' brief or petition for review or response; instead, any material in these documents upon which there is reliance should be restated in the brief filed in this court; and

IT IS FURTHER ORDERED that the first brief filed in this court must contain, as part of the appendix, a copy of the decision of the court of appeals in this case; and

IT IS FURTHER ORDERED that, if a party has not previously filed an electronic copy of the briefs filed on behalf of that party in the court of appeals, the party, within 30 days after the date of this order, must provide the clerk of this court with 10 copies of the brief previously filed on behalf of that party in the court of appeals; but if the party has already filed an electronic copy of such briefs, then there is no obligation to provide additional copies of those briefs to the clerk of this court; and

IT IS FURTHER ORDERED that the allowance of costs, if any, in connection with the granting

Comment: Cover Letter to Response to Petition for Review 03-21-2022 Order

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OCCD CA 01-27-2022 Published Opinion Citation  
970 N.W.2d 571

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OCCD CA 01-27-2022 Published Opinion Citation  
400 Wis. 2d 542

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OCCD CA 01-27-2022 Opinion Ordered Unpublished  
Comment: Opinion Ordered Unpublished - Order

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OCCD CA 12-29-2021 [Opinion/Decision](#)  
Judge Panel: Grogan, Neubauer, Reilly  
Opinion: Opinion  
Decision: Affirmed Pages: 33  
Written by: Grogan, Shelley A.  
Reilly, Paul F. Wrote Dissenting Opinion 17 pages.  
Order Text: Judgment and order affirmed.  
Comment: 12/29/21 Decision

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OCCD CA 08-17-2021 Submitted on Briefs

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OCCD CA 02-11-2021 Record and Briefs Sent to District 2

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OCCD CA 02-10-2021 [Reply Brief](#)  
[Reply Brief](#)  
Filed By: Parker Mathers

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OCCD CA 02-02-2021 Motion to Extend Time  
Filed By: Parker Mathers  
Submit Date: 2-3-2021  
Decision: (G) Grant  
Decision Date: 2-4-2021  
ORD that the time for the appellant to file a reply brief is extended to February 9, 2021. See WIS. STAT. RULE 809.82(2)(a).  
See BRY event due on 2-9-2021

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OCCD CA 01-11-2021 Motion to Extend Time  
Filed By: Parker Mathers  
Submit Date: 1-12-2021  
Decision: (G) Grant  
Decision Date: 1-13-2021  
ORD that the time for the appellant to file his reply brief is extended to January 26, 2021. See WIS. STAT. RULE 809.82(2)(a).  
See BRY event due on 1-26-2021

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OCCD CA 12-28-2020 Motion to Extend Time  
Filed By: Parker Mathers  
Submit Date: 12-28-2020  
Decision: (G) Grant  
Decision Date: 12-29-2020  
IT IS ORDERED that the time for the appellant to file a reply brief is extended to January 11, 2021. See WIS. STAT. RULE 809.82(2)(a).  
Motion Response  
Filed By: Parker Mathers  
Submit Date: 1-26-2021  
See BRY event due on 1-26-2021

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OCCD CA 12-09-2020 Brief of Respondent(s)  
[Brief of Respondent](#)

Filed By: Lisa Kumfer

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OCCD CA 12-04-2020 Briefs Received At State Law Library

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OCCD CA 11-03-2020 Motion to Extend Time

Filed By: Lisa Kumfer

Submit Date: 11-3-2020

Decision: (G) Grant

Decision Date: 11-4-2020

ORD that the time for the respondent to file its brief is extended to December 9, 2020. See WIS. STAT. RULE 809.82(2)(a).

See BRS event due on 12-9-2020

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OCCD CA 10-20-2020 Notice of Appearance

Comment: AAG Kumfer for State per Notice of Appearance

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OCCD CA 10-08-2020 Brief & Appendix of Appellant(s)  
[Brief of Appellant](#)

Filed By: Parker Mathers

Comment: Appendix

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OCCD CA 09-29-2020 Delinquency Motion

Filed By: Unassigned District 2

Submit Date: 9-29-2020

Decision: (O) Other

Decision Date: 10-1-2020

ORD that by October 8, 2020, the appellant's brief must be filed. If the brief is not filed by this date, appointed counsel for the appellant, Attorney Parker Mathers, will be fined \$25 per day for each day that the brief was not filed, retroactive to the date of this order. WIS. STAT. RULE 809.83(2). Counsel must submit payment of the accrued penalty when filing the appellants brief or the brief will not be accepted for filing.

See BAP event due on 8-28-2020

Comment: 10-01-20 Order

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OCCD CA 09-09-2020 Delinquent

Comment: New due date of connected BAP: 9-16-2020; Delinquent BAP

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OCCD CA 08-11-2020 Motion to Extend Time

Filed By: Parker Mathers

Submit Date: 8-12-2020

Decision: (G) Grant

Decision Date: 8-14-2020

ORD that the time for filing the appellant's brief is extended to August 28, 2020. See WIS. STAT. RULE 809.82(2)(a).

See BAP event due on 8-28-2020

Comment: 5th

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OCCD CA 06-29-2020 Motion to Extend Time  
Filed By: Parker Mathers  
Submit Date: 6-30-2020  
Decision: (G) Grant  
Decision Date: 7-2-2020  
ORD that the time for the appellant to file an appellant's brief is extended to August 7, 2020. See WIS. STAT. RULE 809.82(2)(a) (2017-18).  
See BAP event due on 8-7-2020  
Comment: 4th

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OCCD CA 06-08-2020 Motion to Extend Time  
Filed By: Parker Mathers  
Submit Date: 6-9-2020  
Decision: (G) Grant  
Decision Date: 6-11-2020  
ORD that the time for the appellant to file his appellant's brief is extended to June 29, 2020. See WIS. STAT. RULE 809.82(2)(a).  
See BAP event due on 6-29-2020

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OCCD CA 05-28-2020 Motion for Miscellaneous Relief  
Filed By: Daimon Jackson  
Submit Date: 5-28-2020  
Decision: (O) Other  
Decision Date: 6-1-2020  
ORD that no further action is taken on the appellant's pro se motion to appoint substitute counsel.  
Comment: Motion for Substitution of Counsel

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OCCD CA 03-23-2020 Motion to Extend Time  
Filed By: Parker Mathers  
Submit Date: 3-23-2020  
Decision: (G) Grant  
Decision Date: 4-17-2020  
ORD that the time to file the appellant's brief is extended to June 9, 2020.  
See BAP event due on 6-9-2020

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OCCD CA 03-05-2020 Motion to Extend Time  
Filed By: Parker Mathers  
Submit Date: 3-6-2020  
Decision: (G) Grant  
Decision Date: 3-9-2020  
ORD that the time for the appellant to file his appellant's brief is extended to March 23, 2020. See Wis. Stat. Rule 809.82(2)(a).  
See BAP event due on 3-23-2020  
Comment: Motion not signed; 3/6/20 - signed copy filed

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OCCD CA 01-22-2020 Sealed Documents  
Comment: PSI #28

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OCCD CA 01-22-2020 Record  
Comment: 1-3 to 79-1; ELECTRONICALLY FILED; Record Filing Notice



OCCD CA	01-02-2020	Statement on Transcript
	Filed By: Parker Mathers Status: Prev. Filed Comment: Statement on Transcript	
OCCD CA	12-19-2019	Notif. Sent-Filing of NAP & Ct. Record
	Comment: Notif. Sent-Filing of NAP & Ct. Record	
OCCD CA	12-19-2019	Fee Waived
	Comment: SPD appointed	
OCCD CA	12-19-2019	Notice of Appeal & Circuit Court Docket Entries
	Comment: Transmittal of Notice of Appeal & Court Record	
OCCD CA	12-19-2019	X Transfer
OCCD CA	12-12-2019	Notice of Appeal filed in Circuit Court
OCCD CA	12-12-2019	Mot. Extend Time to file NAP/PCM
	Filed By: Parker Mathers Submit Date: 12-12-2019 Decision: (G) Grant Decision Date: 12-19-2019 ORD that the time for filing a Wis. Stat. Rule 809.30 postconviction motion is extended to November 9, 2018. FRO that the time for deciding the defendant's postconviction motion is extended to November 15, 2019. See Wis. Stat. Rule 809.82(2)(a). FRO that the time for filing a notice of appeal is extended to December 12, 2019. Comment: MXT to file NAP/PCM; 12/19/19 Court Order	
OCCD CA	11-15-2019	Order of Circuit Court
OCCD CA	01-08-2018	State Public Defender Order Appointing Counsel
	Comment: Attorney Parker Mathers; Received SPD Appointment Order	
OCCD CA	11-29-2017	Order
	ORD that the motion to reinstate the Wis. Stat. Rule 809.30 appeal rights is held in abeyance pending receipt of an affidavit of service from Attorney Hailstock. The affidavit of service shall be filed with the clerk of this court no later than 12/6/17. See XNI event filed on 10-18-2017 Comment: 11/29/17 Court Order	
OCCD CA	10-18-2017	Motion to Extend Time to File Notice of Intent
	Filed By: Eric Hailstock Submit Date: 10-18-2017 Decision: (G) Grant	

WSCCA Case History

Decision Date: 12-11-2017

ORD that the Wis. Stat. Rule 809.30 appeal rights are reinstated. The time for filing a notice of intent to pursue postconviction relief is extended to October 10, 2017. See Wis. Stat. Rule 809.82(2)(a).

FRO that the time to act under either Wis. Stat. Rule 809.30(2)(e) or (f) commences as of the date of this order.

Motion Response

Filed By: Daimon Jackson

Submit Date: 10-26-2017

Motion Response

Filed By: Eric Hailstock

Submit Date: 12-6-2017

This motion contains court order(s).

Comment: original copy received via US Mail 10/24/17; Affidavit of service filed 12/6/17.

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OCCD CA 06-13-2017

Judgment of Circuit Court

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