

IN THE SUPREME COURT, STATE OF WYOMING

2020 WY 145

October Term, A.D. 2020

December 2, 2020

AUSTIN DOUGLAS BAKER,

**Appellant
(Defendant),**

v.

S-20-0177

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

**ORDER AFFIRMING THE DISTRICT COURT'S
"ORDER TO REVOKE PROBATION"**

[¶ 1] **This matter** came before the Court upon its own motion following notification that Appellant has not filed a *pro se* brief in the time allotted. Appellant took this appeal to challenge the district court's July 8, 2020, "Order to Revoke Probation." Appellant admitted he violated his probation. The district court revoked probation and imposed a sentence of 18 to 24 months on Appellant's burglary conviction. Appellant entered an unconditional guilty plea to that charge.

[¶ 2] On September 28, 2020, Appellant's court-appointed appellate counsel filed a "Motion to Withdraw as Counsel," pursuant to *Anders v. California*, 386 U.S. 738, 744, 87 S.Ct. 1396, 1400, 18 L.Ed.2d 493 (1967). This Court subsequently entered an "Order Granting Motion for Extension of Time to File *Pro Se* Brief," which provided that Appellant "may file with this Court a *pro se* brief specifying the issues he would like the Court to consider in this appeal." This Court also provided notice that, after the time for filing a *pro se* brief expired, this Court would "make its ruling on counsel's motion to withdraw and, if appropriate, make a final decision" on this appeal. Appellant's *pro se* brief was due for filing on or before November 12, 2020. Appellant did not file a *pro se* brief or other pleading in the time allotted.

[¶ 3] Now, following a careful review of the record and the “*Anders* brief” submitted by appellate counsel, this Court finds that appellate counsel’s motion to withdraw should be granted and the district court’s “Order to Revoke Probation” should be affirmed. It is, therefore,

[¶ 4] **ORDERED** that the Wyoming Public Defender’s Office, court-appointed counsel for Appellant Austin Douglas Baker, is hereby permitted to withdraw as counsel of record for Appellant; and it is further

[¶ 5] **ORDERED** that the Natrona County District Court’s July 8, 2020, “Order to Revoke Probation,” be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 2nd day of December, 2020.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice