

IN THE SUPREME COURT, STATE OF WYOMING

2021 WY 113

October Term, A.D. 2021

October 13, 2021

MARIE CHRISTINE FRANKS,

**Appellant
(Defendant),**

v.

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

S-21-0157

ORDER AFFIRMING THE DISTRICT COURT’S JUDGMENT AND SENTENCE

[¶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. Pursuant to a plea agreement, Appellant entered an unconditional guilty plea to one count of endangering a child. Wyo. Stat. Ann. § 6-4-403(a)(ii). The district court imposed a sentence of 365 days, suspended in favor of one year of unsupervised probation. Appellant filed this appeal to challenge the district court’s March 31, 2021 Order After Hearing on Change of Plea and Judgment and Sentence.

[¶2] On August 10, 2021, Appellant’s court-appointed appellate counsel e-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. This Court ordered that, on or before September 30, 2021, Appellant “may file with this Court a *pro se* brief which specifies the issues for 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. This Court notes that 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 Judgment and Sentence should be affirmed. It is, therefore,

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

[¶5] **ORDERED** that the Sheridan County District Court's March 31, 2021 Order After Hearing on Change of Plea and Judgment and Sentence be, and the same hereby is, affirmed.

[¶6] **DATED** this 13th day of October, 2021.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice