

***IN THE SUPREME COURT, STATE OF WYOMING***

**2020 WY 144**

***October Term, A.D. 2020***

***November 25, 2020***

**RUSSELL GEORGE MACKIE,**

**Appellant  
(Defendant),**

**v.**

**S-20-0179**

**THE STATE OF WYOMING,**

**Appellee  
(Plaintiff).**

**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 within the time allotted by this Court. Pursuant to a plea agreement, Appellant entered unconditional guilty pleas to (1) strangulation of a household member and (2) misdemeanor domestic battery. Wyo.Stat. Ann. § 6-2-509(a)(i); Wyo.Stat. Ann. § 6-2-511. On the felony, the district court imposed a seven to ten-year sentence. Appellant filed this appeal to challenge the district court’s May 20, 2020, “Sentencing Order.”

[¶ 2] On September 25, 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 ordered 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. 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 appellate counsel’s motion to withdraw should be granted and the district court’s “Sentencing Order” should be affirmed. It is, therefore,

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

[¶ 5] **ORDERED** that the Carbon County District Court’s May 20, 2020, “Sentencing Order” be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 25<sup>th</sup> day of November, 2020.

**BY THE COURT:**

/s/

**MICHAEL K. DAVIS**  
**Chief Justice**