

IN THE SUPREME COURT, STATE OF WYOMING

2022 WY 34

October Term, A.D. 2021

March 9, 2022

MATTHEW ANTHONY NARTKER,

**Appellant
(Defendant),**

v.

S-21-0237

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

ORDER AFFIRMING ORDER DENYING MOTION FOR SENTENCE REDUCTION

[¶ 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. Appellant filed this appeal to challenge the district court's September 3, 2021, Order Denying Defendant's Motion for Sentence Reduction.

[¶ 2] On January 6, 2022, 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. This Court ordered that, on or before February 21, 2022, Appellant was permitted to 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 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 Order Denying Defendant's Motion for Sentence Reduction should be affirmed. It is, therefore,

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

[¶ 5] **ORDERED** that the Converse County District Court’s September 3, 2021, Order Denying Defendant’s Motion for Sentence Reduction be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 9th day of March, 2022.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice