

IN THE SUPREME COURT, STATE OF WYOMING

2021 WY 34

October Term, A.D. 2020

February 24, 2021

TONI LYNN OLESON,

**Appellant
(Defendant),**

v.

S-20-0209

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 in the time allotted. Pursuant to a plea agreement, Appellant entered an unconditional guilty plea to one count of possession of methamphetamine, a third offense felony. Wyo. Stat. Ann. § 35-7-1031(c). The district court imposed a sentence of 18 to 24 months, suspended in favor of two years of probation. Appellant filed this appeal to challenge the district court’s August 14, 2020, “Judgment and Sentence.”

[¶ 2] On December 29, 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. Appellant’s *pro se* brief was due for filing on or before February 16, 2021. 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 Toni Lynn Oleson, is hereby permitted to withdraw as counsel of record for Appellant; and it is further

[¶ 5] **ORDERED** that the Sheridan County District Court’s August 14, 2020, “Judgment and Sentence” be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 24th day of February, 2021.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice