

IN THE SUPREME COURT, STATE OF WYOMING

2020 WY 54

April Term, A.D. 2020

April 29, 2020

THOMAS JOSEPH ROEBER,

**Appellant
(Defendant),**

v.

S-19-0253

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

**ORDER AFFIRMING THE DISTRICT COURT’S
“SENTENCE ON PROBATION REVOCATION”**

[¶ 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 July 24, 2019, “Sentence on Probation Revocation.” Appellant admitted he violated his probation. The district revoked probation and imposed the underlying two to four-year sentence on Appellant’s conviction on one count of endangering children. Wyo. Stat. Ann. § 6-4-405. Appellant entered an unconditional guilty plea to that charge.

[¶ 2] On December 18, 2019, 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. After extensions of time, Appellant’s *pro se* brief was due for filing on or before April 13, 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 “Sentence on Probation Revocation” should be affirmed. It is, therefore,

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

[¶ 5] **ORDERED** that the Campbell County District Court’s July 24, 2019, “Sentence on Probation Revocation,” be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 29th day of April, 2020.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice