

IN THE SUPREME COURT, STATE OF WYOMING

2024 WY 92

April Term, A.D. 2024

August 28, 2024

CLIFTON DARRELL QUALLS,

**Appellant
(Defendant),**

v.

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

S-24-0133

ORDER AFFIRMING THE DISTRICT COURT'S JUDGMENT AND SENTENCE

[¶ 1] **This matter** came before the Court upon its own motion following the filing of Appellant's *pro se* Petition Under (W.R.A.P. 14.05) and his *Pro se* Supplemental Brief Under (W.R.A.P. 14.05), which this Court has treated collectively as a *pro se* brief. Pursuant to a plea agreement, Appellant entered unconditional *Alford* guilty pleas to two felonies: third degree sexual assault and possession of a deadly weapon with unlawful intent. Wyo. Stat. Ann. § 6-2-304(a)(iii); § 6-8-103. For third degree sexual assault, the district court imposed a 7 to 10-year sentence, which the district court ordered be served concurrently with a 3 to 5-year sentence on the other offense. Appellant filed this appeal to challenge the district court's March 28, 2024, Judgment and Sentence.

[¶ 2] On July 3, 2024, 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 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.

[¶ 3] Now, following a careful review of Appellant’s *pro se* pleadings, 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 Clifton Darrell Qualls, is hereby permitted to withdraw as counsel of record for Appellant; and it is further

[¶ 5] **ORDERED** the *pro se* Petition for Court Appointed Attorney Under Rule (Wyo. Stat. Ann. 7-6-104(c)(ii)) be, and hereby is, denied, because Appellant was appointed counsel for this appeal but that counsel was allowed to withdraw pursuant to this Court’s *Anders* briefing procedure; and it is further

[¶ 6] **ORDERED** that the Natrona County District Court’s March 28, 2024, Judgment and Sentence be, and the same hereby is, affirmed.

[¶ 7] **DATED** this 28th day of August, 2024.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice