

IN THE SUPREME COURT, STATE OF WYOMING

2023 WY 81

April Term, A.D. 2023

August 23, 2023

ALANA ANN ARCHULETA,

**Appellant
(Defendant),**

v.

S-23-0047

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

**ORDER AFFIRMING THE DISTRICT COURT'S
ORDER FINDING DEFENDANT NOT GUILTY BY
REASON OF MENTAL ILLNESS**

[¶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 January 17, 2023, Order Finding the Defendant Not Guilty by Reason of Mental Illness, Pursuant to W.S. § 7-11-306.

[¶2] On May 25, 2023, 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 July 20, 2023, Appellant was permitted to file with this Court a *pro se* brief specifying the issues she 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 later extended the time for Appellant to file a brief to August 4, 2023. 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 Order Finding the Defendant Not Guilty by Reason of Mental Illness, Pursuant to W.S. § 7-11-306 should be affirmed. It is, therefore,

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

[¶5] **ORDERED** that the Natrona County District Court's January 17, 2023, Order Finding the Defendant Not Guilty by Reason of Mental Illness, Pursuant to W.S. § 7-11-306, be, and the same hereby is, affirmed.

[¶6] **DATED** this 23rd day of August, 2023.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice