

IN THE SUPREME COURT, STATE OF WYOMING

2020 WY 10

October Term, A.D. 2019

January 23, 2020

DONALD E. BRUNNER,

**Appellant
(Defendant),**

v.

S-19-0182

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

ORDER AFFIRMING ORDER REVOKING PROBATION

[¶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 June 19, 2019, “Second Order of Probation Revocation.” The district court revoked probation and imposed a three to five-year sentence for felony property destruction. Wyo. Stat. Ann. § 6-3-201.

[¶2] On November 22, 2019, Appellant’s court-appointed appellate counsel e-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 January 6, 2020, 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.” This Court notes 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 "Second Order of Probation Revocation" should be affirmed. It is, therefore,

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

[¶5] **ORDERED** that the district court's June 19, 2019, "Second Order of Probation Revocation" be, and the same hereby is, affirmed.

[¶6] **DATED** this 23rd day of January, 2020.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice