

IN THE SUPREME COURT, STATE OF WYOMING

2020 WY 87

April Term, A.D. 2020

July 1, 2020

SHANE N. GOLSTON,

**Appellant
(Defendant),**

v.

S-20-0065

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

**ORDER AFFIRMING THE DISTRICT COURT’S
“ORDER TO CORRECT SENTENCE GRANTING ADDITIONAL CREDIT FOR
TIME SERVED”**

[¶ 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 15, 2020 “Order to Correct Sentence Granting Additional Credit for Time Served.” Pursuant to plea agreements, Appellant was sentenced to not less than two nor more than four years incarceration in Big Horn County case CR-2018-0020, with credit for 265 days, and not less than three nor more than five years incarceration in Park County case CR-006004 with credit for forty-one days. Pursuant to Appellant’s motion, the Park County district court granted an additional twenty-three days credit.

[¶ 2] On April 27, 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 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. Appellant’s *pro se* brief was due for filing on or before June 11, 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 “Order to Correct Sentence Granting Additional Credit for Time Served” should be affirmed. It is, therefore,

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

[¶ 5] **ORDERED** that the Park County District Court’s January 15, 2020, “Order to Correct Sentence Granting Additional Credit for Time Served” be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 1st day of July, 2020.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice