

IN THE SUPREME COURT, STATE OF WYOMING

2019 WY 126

October Term, A.D. 2019

December 18, 2019

SHANNON HAMILTON,

**Appellant
(Defendant),**

v.

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

S-19-0124

ORDER AFFIRMING THE DISTRICT COURT’S JUDGMENT AND SENTENCE

[¶ 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 entered an unconditional guilty plea to possession of marijuana, a fourth offense felony. Wyo.Stat. Ann. § 35-7-1031(c)(i)(A). The district court imposed a three to five-year sentence, which was suspended in favor of a split sentence—seven months in jail followed by five years of probation. Appellant filed this appeal to challenge the district court’s March 6, 2019, “Judgment & Sentence.”

[¶ 2] On October 7, 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.” This Court ordered that, on or before December 2, 2019, 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 that 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 “Judgment & Sentence” should be affirmed.

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

[¶ 5] **ORDERED** that the district court’s March 6, 2019, “Judgment & Sentence” be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 18th day of December, 2019.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice