

IN THE SUPREME COURT, STATE OF WYOMING

2022 WY 84

April Term, A.D. 2022

June 29, 2022

ROBERT J. LAWLER,

**Appellant
(Defendant),**

v.

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

S-22-0061

**ORDER AFFIRMING THE DISTRICT COURT'S
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 in the time allotted. Appellant took this appeal to challenge the district court's December 28, 2021, Probation Revocation Disposition and Order of Probation. Appellant admitted he violated his probation. The district court revoked probation and imposed a sentence of two to four years on Appellant's conviction for felony driving under the influence. Wyo. Stat. Ann. § 31-5-233(b)(i) & (e). The district court suspended that sentence in favor of three years of supervised probation.

[¶2] On April 29, 2022, 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 June 16, 2022, 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. 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 Probation Revocation Disposition and Order of Probation should be affirmed. It is, therefore,

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

[¶5] **ORDERED** that the Campbell County District Court's December 28, 2021, Probation Revocation Disposition and Order of Probation, be, and the same hereby is, affirmed.

[¶6] **DATED** this 29th day of June, 2022.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice