

IN THE SUPREME COURT, STATE OF WYOMING

2024 WY 57

April Term, A.D. 2024

May 30, 2024

MARK ANTHONY MARTINEZ,

**Appellant
(Defendant),**

v.

S-23-0290, S-23-0291

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

**ORDER AFFIRMING THE DISTRICT COURT'S
ORDERS 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 appeal S-23-0290 to challenge the district court's September 11, 2023, Order Revoking Probation and Imposing Modified Sentence, which was entered in district court docket 2020-CR-35-168. Appellant took appeal S-23-0291 to challenge the district court's September 11, 2023, Order Revoking Probation and Imposing Modified Sentence, which was entered in district court docket 2020-CR-35-191. In both cases, Appellant admitted he violated his probation. Following the probation revocations, the district court imposed 2 to 4-year sentences, with those sentences to be served concurrently.

[¶ 2] On March 29, 2024, Appellant's court-appointed appellate counsel filed motions 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 ordered that, on or before May 13, 2024, Appellant was permitted to file with this Court *pro se* briefs specifying the issues he would like the Court to consider in these appeals. This Court also provided notice that, after the time for filing the *pro se* briefs expired, this Court would make its ruling on counsel's motions to withdraw and, if appropriate, make a final decision in these appeals. Appellant did not file a *pro se* brief or other pleading in the time allotted.

[¶ 3] Now, following a careful review of the records and the *Anders* briefs submitted by appellate counsel, this Court finds that appellate counsel's motions to withdraw should be granted and the district court's orders revoking probation should be affirmed. It is, therefore,

[¶ 4] **ORDERED** that the captioned appeals are consolidated; and it is further

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

[¶ 6] **ORDERED** that, in docket S-23-0290, the Laramie County District Court's September 11, 2023, Order Revoking Probation and Imposing Modified Sentence (in district court docket 2020-CR-35-168) be, and the same hereby is, affirmed; and it is further

[¶ 7] **ORDERED** that, in docket S-23-0291, the Laramie County District Court's September 11, 2023, Order Revoking Probation and Imposing Modified Sentence (in district court docket 2020-CR-35-191) be, and the same hereby is, affirmed.

[¶ 8] **DATED** this 30th day of May, 2024.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice