

IN THE SUPREME COURT, STATE OF WYOMING

2024 WY 67

April Term, A.D. 2024

June 19, 2024

RICHARD W. TANNER,

**Appellant
(Defendant),**

v.

S-24-0091

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

**ORDER AFFIRMING THE DISTRICT COURT'S
ORDER DENYING MOTION FOR SENTENCE REDUCTION**

[¶ 1] **This matter** came before the Court upon its own motion following filing of a Brief of Appellant (*Pro se*). Appellant took this appeal to challenge the district court's January 19, 2024, Order Denying Defendant's Motion for Sentence Reduction.

[¶ 2] On May 23, 2024, 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 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 timely filed his *pro se* brief June 6, 2024.

[¶ 3] Now, following a careful review of the *pro se* brief, 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 Denying Defendant's Motion for Sentence should be affirmed. It is, therefore,

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

[¶ 5] **ORDERED** that the Fremont County District Court’s January 19, 2024, Order Denying Defendant’s Motion for Sentence Reduction, be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 19th day of June, 2024.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice