

IN THE SUPREME COURT, STATE OF WYOMING

2026 WY 5

October Term, A.D. 2025

January 7, 2026

KYLE XAVIER WALLENTINE,

**Appellant
(Defendant),**

v.

S-25-0217

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

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 filed a *pro se* brief in the time allotted. Pursuant to a plea agreement, Appellant entered an unconditional no contest plea to eight counts of sexual abuse of a minor in the second degree. Wyo. Stat. Ann. § 6-2-315(a)(ii). For each count, the district court imposed a sentence of 8 to 15 years of incarceration. The court ordered each count to run consecutively. Appellant filed this appeal to challenge the district court's September 2, 2025, Judgment and Sentence.

[¶2] On October 28, 2025, Appellant's court-appointed appellate counsel filed a Motion to Withdraw as Counsel, pursuant to *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396, 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 filed a *pro se* brief in the time allotted.

[¶3] Now, following a careful review of the *Anders* brief submitted by appellate counsel, Appellant's *pro se* brief, and the record, this Court finds that appellate counsel's motion to withdraw should be granted and the district court's Judgment and Sentence should be affirmed. It is, therefore,

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

[¶5] **ORDERED** that the Uinta County District Court's September 2, 2025, Judgment and Sentence be, and the same hereby is, affirmed.

[¶6] **DATED** this 7th day of January, 2026.

BY THE COURT:

/s/

LYNNE BOOMGAARDEN
Chief Justice