

IN THE SUPREME COURT, STATE OF WYOMING

2020 WY 81

April Term, A.D. 2020

June 24, 2020

KENNETH JAMES WARD,

**Appellant
(Defendant),**

v.

S-20-0004

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 not filed a *pro se* brief in the time allotted. Pursuant to a plea agreement, Appellant entered an unconditional “no contest” plea to wrongful taking or disposing of property. Wyo.Stat. Ann. § 6-3-403(a). The district court imposed an eight to ten-year sentence, which was suspended in favor of three years of probation. Appellant filed this appeal to challenge the district court’s October 28, 2019, “Judgment and Sentence.”

[¶ 2] On April 13, 2020, 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 permitting Appellant 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’s *pro se* brief was due for filing on or before May 28, 2020. 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 and Sentence" should be affirmed. It is, therefore,

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

[¶ 5] **ORDERED** that the Sweetwater County District Court's October 28, 2019, "Judgment and Sentence" be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 24th day of June, 2020.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice