

IN THE SUPREME COURT, STATE OF WYOMING

2018 WY 1

October Term, A.D. 2017

January 4, 2018

THOMAS JOSEPH ROEBER,

**Appellant
(Defendant),**

v.

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

S-17-0236

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 within the time allotted by this Court. Pursuant to a plea agreement, Appellant entered an unconditional guilty plea to one count of endangering children. Wyo. Stat. Ann. § 6-4-405. The district court imposed a 2 to 4-year sentence, which was suspended in favor of three years of supervised probation. Appellant filed this appeal to challenge the district court’s January 26, 2017, “Judgment upon Plea of Guilty” and its July 19, 2017, “Sentence and Probation Order.”

[¶2] On October 30, 2017, 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). Subsequently, this Court entered an “Order Granting Motion for Extension of Time to File *Pro Se* Brief.” This Court ordered that, on or before December 14, 2017, Appellant “may file with this Court a *pro se* brief specifying the issues he would like this 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.” This Court notes that 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 upon Plea of Guilty” and its “Sentence and Probation Order” should be affirmed. It is, therefore,

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

[¶5] **ORDERED** that the district court’s January 26, 2017, “Judgment upon Plea of Guilty” and its July 19, 2017, “Sentence and Probation Order” be, and the same hereby are, affirmed.

[¶6] **DATED** this 4th day of January, 2018.

BY THE COURT:

/s/

E. JAMES BURKE
Chief Justice