

IN THE UTAH COURT OF APPEALS

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State of Utah,)	MEMORANDUM DECISION	
)	(Not For Official Publication)	
Plaintiff and Appellee,)		
)	Case No. 20050614-CA	
v.)		
)	F I L E D	
Robert Christopher Pabon,)	(July 7, 2006)	
)		
Defendant and Appellant.)	<table border="1"><tr><td>2006 UT App 280</td></tr></table>	2006 UT App 280
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Second District, Ogden Department, 051900309
The Honorable Michael D. Lyon

Attorneys: Dee W. Smith, Ogden, for Appellant

Before Judges Billings, McHugh, and Orme.

PER CURIAM:

Appellant Robert Christopher Pabon appeals his conviction and sentence of Theft by Receiving Stolen Property, a third degree felony. Appellant's counsel filed a brief in accordance with Anders v. California, 386 U.S. 783 (1967), and State v. Clayton, 639 P.2d 168 (Utah 1981). The brief "objectively demonstrate[s] that the issues raised are frivolous." State v. Flores, 855 P.2d 258, 260 (Utah Ct. App. 1993) (per curiam); see also Dunn v. Cook, 791 P.2d 873, 877 (Utah 1990) (stating an Anders brief must demonstrate any "potentially meritorious" issues are actually frivolous). Counsel provided a copy of the brief to Pabon and made a sufficient attempt to determine and include any issues that Pabon wanted to include in his brief.

Based upon our independent examination of the record, we determine that the appeal is, indeed, wholly frivolous. Accordingly, we affirm the conviction and grant counsel's motion to withdraw.

Judith M. Billings, Judge

Carolyn B. McHugh, Judge

Gregory K. Orme, Judge