

IN THE UTAH COURT OF APPEALS

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State of Utah,)	MEMORANDUM DECISION	
)	(Not For Official Publication)	
Plaintiff and Appellee,)		
)	Case No. 20090402-CA	
v.)		
)	F I L E D	
Brice Leonard Stott,)	(February 19, 2010)	
)		
Defendant and Appellant.)	<table border="1"><tr><td>2010 UT App 43</td></tr></table>	2010 UT App 43
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Second District, Ogden Department, 071901563
The Honorable Scott M. Hadley

Attorneys: Randall W. Richards, Ogden, for Appellant
Mark L. Shurtleff and Laura B. Dupaix, Salt Lake
City, for Appellee

Before Judges Davis, McHugh, and Bench.¹

PER CURIAM:

Appellant Brice Leonard Stott appeals from his conviction and sentence for sexual abuse of a child. Stott'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 that an Anders brief must demonstrate any "potentially meritorious" issues are actually frivolous). Based upon our independent examination of the record, we determine that the appeal is, indeed, wholly frivolous and, accordingly, we

¹The Honorable Russell W. Bench, Senior Judge, sat by special assignment pursuant to Utah Code section 78A-3-102 (2008) and rule 11-201(6) of the Utah Rules of Judicial Administration.

affirm the decision of the district court and grant counsel's motion to withdraw.

James Z. Davis,
Presiding Judge

Carolyn B. McHugh,
Associate Presiding Judge

Russell W. Bench, Senior Judge