

IN THE SUPREME COURT, STATE OF WYOMING

2018 WY 86

April Term, A.D. 2018

August 1, 2018

ALAN LAYNE FARLEY,

**Appellant
(Defendant),**

v.

S-18-0082

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 within the time allotted by this Court. Pursuant to a plea agreement, Appellant entered unconditional “*Alford*” guilty pleas to two charges: child abuse (a felony) and sexual battery (a misdemeanor). Wyo. Stat. Ann. § 6-2-503(b)(ii); § 6-2-313. On the felony, the district court imposed a 7 to 10-year sentence, which was suspended in favor of five years of supervised probation. Appellant filed this appeal to challenge the district court’s January 19, 2018, “Judgment and Sentence.”

[¶ 2] On May 25, 2018, 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 Granting Motion for Extension of Time to File *Pro Se* Brief.” This Court ordered that, on or before July 12, 2018, 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 and Sentence” should be affirmed. It is, therefore,

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

[¶ 5] **ORDERED** that the district court’s January 19, 2018, “Judgment and Sentence” be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 1st day of August, 2018.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice