

**IN THE SUPREME COURT, STATE OF WYOMING**

**2021 WY 57**

*April Term, A.D. 2021*

*April 28, 2021*

**TELL EDWARD BARBOUR,**

**Appellant  
(Defendant),**

**v.**

**THE STATE OF WYOMING,**

**Appellee  
(Plaintiff).**

**S-20-0254**

**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 unconditional *Alford* guilty pleas to one count of second-degree sexual assault and to one count of false imprisonment, a misdemeanor. Wyo. Stat. Ann. § 6-2-303(a)(ii); § 6-2-203. On the felony conviction, the district court imposed a four to eight-year sentence. Appellant filed this appeal to challenge the district court’s October 13, 2020, “Judgment and Sentence.”

[¶ 2] On February 25, 2021, 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 ordered that Appellant may “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 April 12, 2021. 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 Tell Edward Barbour, is hereby permitted to withdraw as counsel of record for Appellant; and it is further

[¶ 5] **ORDERED** that the Johnson County District Court’s October 13, 2020, “Judgment and Sentence” be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 28<sup>th</sup> day of April, 2021.

**BY THE COURT:**

/s/

**MICHAEL K. DAVIS**  
**Chief Justice**