

IN THE SUPREME COURT, STATE OF WYOMING

2021 WY 45

October Term, A.D. 2020

March 24, 2021

MELANIE ANN FLEMMA,

**Appellant
(Defendant),**

v.

S-20-0259

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

ORDER AFFIRMING ORDER REVOKING AND REINSTATING PROBATION

[¶ 1] **This matter** came before the Court following notification that Appellant has not file a *pro se* brief in the time allotted. Appellant filed this appeal to challenge the district court’s September 17, 2020, “Order After Revocation of Probation Hearing.” After Appellant admitted violating her probation, the district court revoked Appellant’s probation under Wyo. Stat. Ann. § 7-13-301, entered a conviction for felony child abuse, and reinstated probation. Wyo. Stat. Ann. § 6-2-503(b)(ii).

[¶ 2] On January 8, 2021, Appellant’s court-appointed appellate counsel e-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 permitted Appellant to file a “*pro se* brief specifying the issues he would like the Court to consider in this appeal.” Appellant’s *pro se* brief was due for filing on or before March 5, 2020. 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 “Order After Revocation of Probation Hearing” should be affirmed. It is, therefore,

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

[¶ 5] **ORDERED** that the Teton County District Court’s September 17, 2020, “Order After Revocation of Probation Hearing” be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 24th day of March, 2021.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice