

IN THE SUPREME COURT, STATE OF WYOMING

2021 WY 117

October Term, A.D. 2021

October 27, 2021

ROBERT JOSEPH HARPER, JR.,

**Appellant
(Defendant),**

v.

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

S-21-0137

**ORDER AFFIRMING THE DISTRICT COURT'S
ORDER REVOKING PROBATION AND IMPOSING 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. Appellant took this appeal to challenge the district court's April 30, 2021 Order Revoking Probation and Imposing Sentence. Appellant admitted he violated his probation. The district court revoked probation and imposed a sentence of eight to ten years on a conviction for first-degree sexual assault. Wyo. Stat. Ann. § 6-2-302(a)(i).

[¶2] On August 18, 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 ordered that, on or before October 4, 2021, Appellant "may file with this Court a *pro se* brief which specifies the issues for 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. 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 Order Revoking Probation and Imposing Sentence should be affirmed. It is, therefore,

[¶4] **ORDERED** that the Wyoming Public Defender's Office, court-appointed counsel for Appellant Robert Joseph Harper, Jr., is hereby permitted to withdraw as counsel of record for Appellant; and it is further

[¶5] **ORDERED** that the Laramie County District Court's April 30, 2021 Order Revoking Probation and Imposing Sentence, be, and the same hereby is, affirmed.

[¶6] **DATED** this 27th day of October, 2021.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice