

IN THE SUPREME COURT, STATE OF WYOMING

2022 WY 47

April Term, A.D. 2022

April 6, 2022

ROGER J. FORSMAN,

**Appellant
(Defendant),**

v.

S-21-0289

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. Appellant entered unconditional guilty pleas to five felony offenses: driving under the influence (serious bodily injury); aggravated assault and battery; theft; interference with a peace officer; and aggravated fleeing or attempting to elude. For felony DUI, the district court imposed a sentence of eight to ten years, with the lesser sentences on the other offenses to run concurrently. Appellant filed this appeal to challenge the district court's November 22, 2021, Sentence.

[¶ 2] On February 1, 2022, 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 March 18, 2022, Appellant was permitted to 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 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 appellate counsel's motion to withdraw should be granted and the district court's Sentence should be affirmed. It is, therefore,

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

[¶ 5] **ORDERED** that the Campbell County District Court's November 22, 2021, Sentence be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 6th day of April, 2022.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice