

IN THE SUPREME COURT, STATE OF WYOMING

2022 WY 91

April Term, A.D. 2022

July 20, 2022

JONATHAN RAY FISHBECK,

**Appellant
(Defendant),**

v.

THE STATE OF WYOMING,

**Appellee
(Plaintiff).**

S-22-0081

ORDER AFFIRMING THE DISTRICT COURT'S JUDGMENT AND SENTENCE

[¶ 1] **This matter** came before the Court upon its own motion following the filing of Appellant's *pro se* brief. Pursuant to a plea agreement, Appellant entered an unconditional guilty plea to one count of felony stalking. Wyo. Stat. Ann. § 6-2-506(b)(e)(iv). The district court imposed a sentence of three and one half to eight years. Appellant filed this appeal to challenge the district court's January 14, 2022, Sentence.

[¶ 2] On May 23, 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 July 7, 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. On July 6, 2022, Appellant filed a Motion of Defendant *Pro Se* Brief.

[¶ 3] Now, following a careful review of that *pro se* brief, 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 Sentence should be affirmed. It is, therefore,

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

[¶ 5] **ORDERED** that the Campbell County District Court's January 14, 2022, Sentence be, and the same hereby is, affirmed.

[¶ 6] **DATED** this 20th day of July, 2022.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice