

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

**2026 WY 35**

***October Term, A.D. 2025***

**April 1, 2026**

**KENNETH WAYNE CLARK,**

**Appellant  
(Defendant),**

**v.**

**S-25-0266**

**THE STATE OF WYOMING,**

**Appellee  
(Plaintiff).**

**ORDER AFFIRMING THE DISTRICT COURT’S SENTENCING ORDER**

[¶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 an unconditional guilty plea to felony possession of methamphetamine in violation of Wyo. Stat. Ann. § 35-7-1031(a)(i) and misdemeanor driving while under the influence of a controlled substance in violation of Wyo. Stat. Ann. § 31-5-233(b)(iii)(B). For these counts, the district court imposed a sixty day sentence for the misdemeanor offense and a three to five-year sentence of incarceration for the felony offense, consecutive to the misdemeanor offense, which the court suspended in favor of two years of supervised probation. Appellant filed this appeal to challenge the district court’s September 26, 2025, Sentencing Order.

[¶2] On January 27, 2026, Appellant’s court-appointed appellate counsel filed a Motion to Withdraw as Counsel, pursuant to *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396, 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 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 *Anders* brief submitted by appellate counsel, and the record, this Court finds that appellate counsel's motion to withdraw should be granted and the district court's Sentencing Order, should be affirmed. It is, therefore,

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

[¶5] **ORDERED** that the Carbon County District Court's September 26, 2025, Sentencing Order be, and the same hereby is, affirmed.

[¶6] **DATED** this 1<sup>st</sup> day of April, 2026.

**BY THE COURT:**

/s/

**LYNNE BOOMGAARDEN**  
**Chief Justice**