

SUPREME COURT OF WYOMING

Daniel K. Evans v. The State of Wyoming

Evans, 2026 WY 58 (Wyo. 2026) · No. S-26-0027 · Decided May 28, 2026

SUMMARY

The Wyoming Supreme Court affirmed Daniel K. Evans’s convictions and concurrent sentences for second-degree sexual abuse of a minor and attempted first-degree sexual abuse of a minor. The court granted appointed appellate counsel’s Anders motion to withdraw after Evans failed to file a pro se brief.

CASE DETAILS

COURT	Supreme Court of Wyoming
JURISDICTION	Supreme Court of Wyoming
DECIDED	May 28, 2026
DOCKET	S-26-0027
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a criminal judgment and sentence following unconditional no contest pleas. Appellate counsel moved to withdraw under Anders v. California, and the appellant did not file a pro se brief.
STANDARD OF REVIEW	The Court conducted an independent review of appellate counsel's Anders brief and the record to determine whether the appeal presented any nonfrivolous issue warranting relief.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Daniel K. Evans v. The State of Wyoming

TOPICS

- appellate procedure
- criminal procedure
- sentencing
- plea bargaining

PRACTICE AREAS

- criminal appellate practice
- criminal procedure
- sentencing

QUESTIONS PRESENTED

1. Whether appointed appellate counsel should be permitted to withdraw under *Anders v. California* after review of the record disclosed no nonfrivolous appellate issue.
2. Whether the district court's judgment and sentence should be affirmed.

HOLDINGS

1. After reviewing counsel's *Anders* brief and the record, the Court granted appointed counsel's motion to withdraw.
2. The district court's December 8, 2025, judgment and sentence were affirmed.

KEY QUOTATIONS

“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 Judgment and Sentence should be affirmed.” (¶3)

FACTUAL BACKGROUND

Pursuant to a plea agreement, Evans entered unconditional no contest pleas to one count of second-degree sexual abuse of a minor and one count of attempted first-degree sexual abuse of a minor. The district court imposed concurrent sentences of 10 to 15 years for the second-degree count and 25 to 30 years for the attempted first-degree count.

PROCEDURAL HISTORY

Evans entered an unconditional no contest plea pursuant to a plea agreement in the Converse County District Court. The district court entered judgment and sentence on December 8, 2025. On appeal, appointed counsel filed an *Anders* motion to withdraw; after Evans failed to file a pro se brief within the allotted time, the Wyoming Supreme Court reviewed the *Anders* brief and record, granted withdrawal, and affirmed.

DISPOSITION

affirmed

CASES CITED

- *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967)

OPINION

Daniel K. Evans v. The State of Wyoming 2026 WY 58

PER CURIAM.

IN THE SUPREME COURT, STATE OF WYOMING

2026 WY 58 April Term, A.D. 2026 May 28, 2026

DANIEL K. EVANS,

Appellant (Defendant), v. S-26-0027

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 in the time allotted. Pursuant to a plea agreement, Appellant entered an unconditional no contest plea to one count of sexual abuse of a minor in the second degree in violation of Wyo. Stat. Ann. § 6-2-315(a)(ii) and to one count of attempted sexual abuse of a minor in the first degree in violation of Wyo. Stat. Ann. § 6-1- 301, 6-2-314(a)(i). For the second-degree count, the district court imposed a sentence of 10 to 15 years of incarceration and, for the attempted first-degree count, the court imposed a sentence of 25 to 30 years of incarceration. The court ordered each count to run concurrent. Appellant filed this appeal to challenge the district court's December 8, 2025, Judgment and Sentence. [¶2] On March 3, 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 has not filed a pro se brief 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 Judgment and Sentence should be affirmed. It is, therefore, [¶4] ORDERED that the Wyoming Public Defender's Office, court-appointed counsel for Appellant Daniel K. Evans, is hereby permitted to withdraw as counsel of record for Appellant; and it is further [¶5] ORDERED that the Converse County District Court's December 8, 2025, Judgment and Sentence be, and the same hereby is, affirmed. [¶6] DATED this 28th day of May, 2026. BY THE COURT: /s/

LYNNE BOOMGAARDEN

Chief Justice