

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

**2024 WY 123**

***October Term, A.D. 2024***

**November 21, 2024**

**LEON VAN BUREN FREER,**

**Appellant  
(Defendant),**

**v.**

**S-24-0208**

**THE STATE OF WYOMING,**

**Appellee  
(Plaintiff).**

**ORDER AFFIRMING THE DISTRICT COURT'S  
ORDER DENYING MOTION FOR NEW TRIAL BASED ON NEWLY  
DISCOVERED EVIDENCE**

[¶1] **This matter** came before the Court upon its own motion following filing of the Pro-Se Brief of Appellant. Appellant took this appeal to challenge the district court's May 2, 2024, Order Denying Motion for New Trial Based on Newly Discovered Evidence.

[¶2] On September 24, 2024, 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 entered an Order Granting Motion for Extension of Time to File *Pro Se* Brief, and 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 timely filed his *pro se* brief November 4, 2024.

[¶3] Now, following a careful review of the *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 Order Denying Motion for New Trial Based on Newly Discovered Evidence should be affirmed. It is, therefore,

[¶4] **ORDERED** that the Wyoming Public Defender’s Office, court-appointed counsel for Appellant Leon Van Buren Freer, is hereby permitted to withdraw as counsel of record for Appellant; and it is further

[¶5] **ORDERED** that the Converse County District Court’s May 2, 2024, Order Denying Motion for New Trial Based on Newly Discovered Evidence, be, and the same hereby is, affirmed.

[¶6] **DATED** this 21<sup>st</sup> day of November, 2024.

**BY THE COURT:**

*/s/*

**KATE M. FOX**  
**Chief Justice**