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**IN THE
COURT OF APPEALS OF INDIANA**

WARREN PARKS,)
)
 Appellant-Defendant,)
)
 vs.) No. 24A01-1007-CR-358
)
 STATE OF INDIANA,)
)
 Appellee-Plaintiff.)

APPEAL FROM THE FRANKLIN CIRCUIT COURT
The Honorable Clay M. Kellerman, Judge
Cause No. 24C02-0803-CM-121

April 14, 2011

MEMORANDUM DECISION - NOT FOR PUBLICATION

KIRSCH, Judge

Warren Parks (“Parks”), appeals after pleading guilty to one count of check deception¹ as a Class A misdemeanor. Parks presents the following restated issue for our review: whether the trial court abused its discretion by denying Parks’s request to withdraw his guilty plea after he was sentenced for his offense.

We affirm.

FACTS AND PROCEDURAL HISTORY

On March 7, 2008, the State charged Parks with one count of check deception as a Class A misdemeanor. On April 13, 2010, Parks pleaded guilty as charged and was sentenced to a term of three hundred sixty-five days with three hundred thirty-five days suspended. On June 14, 2010, Parks filed a motion to withdraw his guilty plea. On June 22, 2010, the trial court denied Parks’s motion. Parks now appeals.

DISCUSSION AND DECISION

Parks contends that the trial court abused its discretion by denying his motion to withdraw his guilty plea after the trial court sentenced him for the instant offense. Indiana Code section 35-35-1-4(b) provides in pertinent part as follows:

After entry of a plea of guilty . . . , but before imposition of sentence, the court may allow the defendant by motion to withdraw his plea of guilty . . . , for any fair and just reason unless the state has been substantially prejudiced by reliance upon the defendant’s plea. The motion to withdraw the plea of guilty . . . made under this subsection shall be in writing and verified. The motion shall state facts in support of the relief demanded, and the state may file counter-affidavits in opposition to the motion. The ruling of the court on the motion shall be reviewable on appeal only for an abuse of discretion. However, the court shall allow the defendant to withdraw his plea of guilty . . . whenever the defendant proves that withdrawal of the plea is necessary to correct a manifest injustice.

¹ See Ind. Code § 35-43-5-5.

A trial court's ruling on a motion to withdraw a guilty plea arrives in a court on review with a presumption in favor of the ruling. *Brightman v. State*, 758 N.E.2d 41, 44 (Ind. 2001). In making the determination whether a trial court has abused its discretion in denying a motion to withdraw a guilty plea, we examine the statements made by the defendant at his guilty plea hearing in order to reach a determination whether his plea was freely and knowingly offered.

Id.

In his appellant's brief, Parks presents several questions in his brief, which we will treat as issues that he fails to support with cogent argument or reasoning. Indiana Appellate Rule 46(A)(8)(a) provides that the argument section of an appellant's brief must contain the contentions of the appellant on the issues presented supported by cogent reasoning and citation to authority, statutes, the appendix, or parts of the record on appeal. Ind. Appellate Rule 46(A)(8)(a). The issues raised in Parks's appeal are waived for his failure to make a cogent argument. The failure to present a cogent argument or the failure to present citations to authority or to the record on appeal constitutes waiver of the issue. *Lyles v State*, 834 N.E.2d 1035, 1050 (Ind. Ct. App. 2005).

Because Parks is alleging error in the denial of his motion to withdraw his guilty plea, two months after pleading guilty and being sentenced, without providing any support for his contentions, he has failed to establish that the trial court committed reversible error. Based upon the record before us we cannot say that the trial court abused its discretion by denying Park's motion to withdraw his guilty plea.

Affirmed.

CRONE, J., and BRADFORD, J., concur.