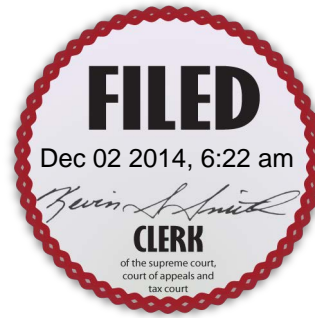


Pursuant to Ind. Appellate Rule 65(D), this Memorandum Decision shall not be regarded as precedent or cited before any court except for the purpose of establishing the defense of res judicata, collateral estoppel, or the law of the case.



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**IN THE
COURT OF APPEALS OF INDIANA**

ROY E. DISNEY,)

Appellant-Defendant,)

vs.)

No. 27A02-1403-CR-178

STATE OF INDIANA,)

Appellee-Plaintiff.)

APPEAL FROM THE GRANT CIRCUIT COURT
The Honorable Mark E. Spitzer, Judge
Cause No. 27C01-1305-FC-32

December 2, 2014

MEMORANDUM DECISION – NOT FOR PUBLICATION

BAKER, Judge

Roy Disney appeals the trial court’s denial of his “Verified Order to be Released Without Parole After Completed Term of Imprisonment.” Appellant’s Br. p. 1. Because Disney’s violations of the Rules of Appellate Procedure prevent us from reaching the merits of his appeal, we find that he has waived the issues raised and affirm the judgment of the trial court.

On October 1, 2013, Disney pleaded guilty to Operating a Motor Vehicle While Privileges are Forfeited for Life,¹ a class C felony, as well as a violation of his probation. Disney was sentenced to an aggregate term of six years. On March 5, 2014, Disney filed his request to be released without parole after his completed term of imprisonment and the trial court denied this motion on March 7, 2014. Disney now appeals.

On appeal, Disney has committed numerous violations of the Indiana Rules of Appellate Procedure. Perhaps most importantly, Disney has failed to include the trial court’s order or the motion at issue in his appendix—a violation of Appellate Rule 50(B).² As Disney also fails to provide a description of the contents of this motion in his brief, we are unable to ascertain the nature of the argument he made before the trial court. While we often tolerate minor infractions of the appellate rules so that we may decide appeals on their merits, Disney’s noncompliance prevents us from reaching the merits of

¹ Ind. Code § 9-30-10-17.

² Disney has failed to comply with numerous other appellate rules, including Rule 46(A)(8)(a) regarding appellant’s briefs, which provides that “[t]he argument must contain the contentions of the appellant on the issues presented, supported by cogent reasoning.”

this appeal. Ramsey v. Review Bd. of Ind. Dep't. of Workforce Dev., 789 N.E.2d 486, 490 (Ind. Ct. App. 2003). He has, therefore, waived the issue.

The judgment of the trial court is affirmed.

VAIDIK, C.J., and RILEY, J., concur.