

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**  
**IN AND FOR NEW CASTLE COUNTY**

<b>STATE OF DELAWARE</b>	)	
	)	
v.	)	<b>I.D. No. 0412008486</b>
	)	
<b>MICHAEL A. BROWN,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER DENYING MOTION  
FOR APPOINTMENT OF COUNSEL**

This 15<sup>th</sup> day of March, 2013, upon consideration of Michael A. Brown’s Motion for Appointment of Counsel (the “Motion”) and the entire record in this case:

1. On or about December 31, 2103, Mr. Brown filed a motion for postconviction relief (the “Rule 61 Motion”). Superior Court Judge William C. Carpenter Jr. referred the Rule 61 Motion to Superior Court Commissioner Mark S. Vavala pursuant to 10 Del.C. §512(b) and Superior Court Criminal Rule 62 for proposed findings of facts and conclusions of law.
2. On March 4, 2013, Commissioner Vavala issued his Report and Recommendation. The Report and Recommendation finds and concludes that the Rule 61 Motion be summarily dismissed.
3. On March 11, 2013, Mr. Brown filed the Motion. In the Motion, Mr. Brown seeks appointment of counsel under Superior Court Criminal Rule 61(e)(1).
4. Superior Court Criminal Rule 61€(1) permits the Court to appoint counsel to assist an indigent defendant in a postconviction proceeding “only in the exercise of discretion and for good cause shown, but not otherwise.” Super. Ct. Crim. R. 61(e)(1).

5. Mr. Brown has not shown good cause why the Court should appoint counsel on his behalf. As the voluminous record indicates, Mr. Brown has had ample opportunity to raise any claims he may have had regarding his convictions and sentences. Moreover, though he may be unskilled at law, Mr. Brown has filed numerous *pro se* motions, including three Superior Court Rule 61 motions. In those motions, Mr. Brown has discussed federal and state case law and has been able to asset and prosecute varying bases for relief without counsel.

**IT IS ORDERED** that the Motion is **DENIED**.

*Eric M. Davis*

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**Eric M. Davis, Judge**

Original to Prothonotary:

cc: Commissioner Mark S. Vavala  
Michael E. Brown (SBI#341129)  
Ipek Medford, Esq.