

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RONALD E. PROCTOR, JR.,	§
	§ Nos. 120/159, 2002 (Consolidated)
Defendant Below,	§
Appellant,	§
v.	§ Court Below— Superior Court
	§ of the State of Delaware,
	§ in and for Sussex County
STATE OF DELAWARE,	§ Cr. A. Nos. 98-11-0579 through
	§ -0581
Plaintiff Below,	§ Cr. ID No. 9809013934
Appellee.	§

Submitted: April 29, 2003  
Decided: May 20, 2003

Before **VEASEY**, Chief Justice, **BERGER** and **STEELE**, Justices.

**ORDER**

This 20<sup>th</sup> day of May 2003, it appears to the Court that:

(1) On April 16, 2003, the Clerk of the Court issued a notice to the appellant Ronald Proctor to show cause why these consolidated appeals should not be dismissed, pursuant to Supreme Court Rule 29(b), for his failure to diligently prosecute the appeals by not filing his opening brief and appendix. Proctor filed a response to the notice to show cause on April 29, 2003.

(2) In his response, Proctor complains of retaliatory treatment within the prison and lack of access to requested materials. Proctor's response also includes a request for the appointment of counsel. Proctor had counsel when his appeal was

filed. At Proctor's request, his appointed counsel was dismissed. This Court granted Proctor's petition to represent himself on October 1, 2002 with Proctor's full knowledge of the hazards of self-representation.

(3) Because Proctor knowingly and voluntarily waived his right to the assistance of counsel, it was his duty to diligently prosecute these consolidated appeals. Proctor's brief and appendix have not been filed as required by Supreme Court Rule 15; therefore, this Court is unable to conduct a meaningful review. In light of Proctor's failure to diligently prosecute the appeals by not filing his opening brief and appendix, the dismissal of this action is appropriate pursuant to Supreme Court Rule 29(b).

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that the consolidated appeals are DISMISSED.

BY THE COURT:

/s/ Myron T. Steele  
Justice