MEMORANDUM DECISION

APPELLANT PRO SE

Lee Evans Dunigan
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ATTORNEYS FOR APPELLEE

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IN THE COURT OF APPEALS OF INDIANA

Lee Evans Dunigan,
Appellant-Defendant,

v.

State of Indiana,
Appellee-Plaintiff.

November 30, 2021

Court of Appeals Case No. 20A-CR-1301

Appeal from the Tippecanoe Superior Court

The Honorable Kristen E. McVey, Judge

Trial Court Cause No. 79D05-1810-F1-11

Brown, Judge.

[1] Lee Evans Dunigan appeals his conviction and sentence for child molesting as a level 1 felony. We dismiss.

Facts and Procedural History

[2] On October 3, 2018, the State charged Dunigan with child molesting as a level 1 felony. After a bench trial, the trial court found him guilty as charged. On June 26, 2020, the court sentenced Dunigan to forty-two years in the Department of Correction.

Discussion

[3] We note that Dunigan is proceeding *pro se* and that such litigants are held to the same standard as trained counsel and are required to follow procedural rules. *Evans v. State*, 809 N.E.2d 338, 344 (Ind. Ct. App. 2004), *trans. denied*. Dunigan does not cite to the transcript, which consists of over 500 pages, or the record in his statement of case, statement of facts, or argument, and he does not include a standard of review for most of his arguments. *See* Ind. Appellate Rule 46(A)(5) (governing the Statement of Case and providing that "[p]age references to the Record on Appeal or Appendix are required in accordance with Rule 22(C)"); Ind. Appellate Rule 46(A)(6) (providing that the Statement of Facts "shall be supported by page references to the Record on Appeal or Appendix in accordance with Rule 22(C)"); Ind. Appellate Rule 46(A)(8) (providing that the argument "must contain the contentions of the appellant on the issues presented, supported by cogent reasoning," "[e]ach contention must be supported by citations to the authorities, statutes, and the Appendix or parts

of the Record on Appeal relied on, in accordance with Rule 22," and "[t]he argument must include for each issue a concise statement of the applicable standard of review").

[4] In his statement of issues in his appellant's brief, Dunigan lists eighteen numbered issues, but his argument section contains only twelve numbered issues covering just over five handwritten pages. The argument related to one of his issues consists of only one sentence. We cannot say Dunigan develops a cogent argument or adequately cites to the record. Accordingly, his claims are waived, and we dismiss this appeal. *See Keller v. State*, 549 N.E.2d 372, 373 (Ind. 1990) (noting "a court which must search the record and make up its own arguments because a party has presented them in perfunctory form runs the risk of being an advocate rather than an adjudicator" and dismissing the appeal for failing to comply with the appellate rules); *Lowrance v. State*, 64 N.E.3d 935, 938 (Ind. Ct. App. 2016) (noting this Court may not become an advocate for *pro se* litigants or develop arguments on their behalf), *reh'g denied*, *trans. denied*; *Galvan v. State*, 877 N.E.2d 213, 216 (Ind. Ct. App. 2007) ("In light of the numerous and flagrant violations of our appellate rules, we must dismiss Galvan's appeal."); *Smith v. State*, 822 N.E.2d 193, 202-203 (Ind. Ct. App. 2005) ("Generally, a party waives any issue raised on appeal where the party fails to develop a cogent argument or provide adequate citation to authority and portions of the record."), *trans. denied*.

[5] For the foregoing reasons, we dismiss Dunigan's appeal.

[6] Dismissed.

Najam, J., and Riley, J., concur.