

Commonwealth Of Kentucky

Court Of Appeals

NO. 1997-CA-001657-MR

PIERCE RENAY DUNN

APPELLANT

v. APPEAL FROM FAYETTE CIRCUIT COURT
HONORABLE MARY C. NOBLE, JUDGE
ACTION NO. 89-CR-000692

COMMONWEALTH OF KENTUCKY

APPELLEE

OPINION
AFFIRMING

** ** * * * * *

BEFORE: KNOX, MILLER, AND SCHRODER, JUDGES.

MILLER, JUDGE: Pierce Renay Dunn brings this *pro se* appeal from a June 17, 1997 order of the Fayette Circuit Court. We affirm.

In 1990, appellant was found guilty pursuant to a jury trial of theft by unlawful taking. Kentucky Revised Statute (KRS) 514.030. Thereupon, appellant pled guilty to being a persistent felony offender in the first-degree (PFO I). KRS 532.080(3). He was sentenced to ten years' imprisonment. In February 1997, appellant filed a "Motion to Modify-Amend or Vacate Sentence Pursuant to RCr 13.04; CR 60.02; KRS 532.070; [KRS 532.110;] and RCr 11.42." On June 17, 1997, the Fayette

Circuit Court entered an order denying appellant's motion. This appeal follows.

In appellant's two-page *pro se* brief, he asserts as follows:

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Appellant was denied his guaranteed due process right-----to due process when appointed counsel failed to adequately prepare or present any type of legal arguments, or to deman[d] a hearing on his CR 60.02, RCr. 11.42 motions in the Fayette Circuit Court.

. . .

II

Appellant was denied effective assistance of counsel during the PFO and Sentencing phases of his trial, and his plea of guilty to the PFO count and waiver of jury sentencing were involuntary.

. . .

III

Wherefore, appellant prays for relief from this illegal enhanced conviction.

. . .

Appellant, however, failed to support the above contentions with discernible legal arguments and failed to direct this court to legal authority supporting same. We view broad assertions without supporting arguments or evidence as simply insufficient to merit serious appellate review. As such, we summarily affirm the circuit court's denial of appellant's motion.

For the foregoing reasons, the order of the Fayette Circuit Court is affirmed.

ALL CONCUR.

PRO-SE BRIEF FOR APPELLANT:

Pierce Renay Dunn
Burgin, KY

BRIEF FOR APPELLEE:

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and

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