

**BOISE, WEDNESDAY, DECEMBER 4, 2019, AT 8:50 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

**GLEN JONES WARD,**

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**Petitioner-Appellant,**

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**v.**

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**Docket No. 46265**

**STATE OF IDAHO,**

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**Respondent.**

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Appeal from the District Court of the Seventh Judicial District, State of Idaho, Bonneville County. Darren B. Simpson, District Judge.

Eric Don Fredericksen, State Appellate Public Defender, Boise, for Appellant.

Lawrence G. Wasden, Idaho Attorney General, Boise, for Respondent.

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Glen Jones Ward appeals an order and judgment of the Bonneville County district court granting the State's motion for summary dismissal and dismissing his petition for post-conviction relief. Ward's petition for post-conviction relief challenging his conviction for sexual abuse of a minor was filed pro se on July 8, 2016. Ward subsequently moved for appointment of counsel to represent him in his post-conviction action and a public defender was appointed by the district court to represent him. Despite the appointment of counsel, Ward continued to file pro se motions. After a hearing on the State's motion for summary dismissal, Ward filed a motion requesting the district court to allow him to proceed pro se. The district court ultimately granted the State's motion for summary dismissal and denied Ward's motion to proceed pro se as moot.

On appeal, Ward argues the district court abused its discretion in denying his motion to proceed pro se because it was not moot and a post-conviction petitioner has a right to proceed pro se.