

**ADMINISTRATIVE DIRECTIVE
OF THE
PRESIDENT JUDGE OF THE SUPERIOR COURT
OF THE STATE OF DELAWARE**

NO. 2016-3

**LIFTING OF TEMPORARY STAY OF PENDING TRIALS
AND/OR PENALTY HEARINGS IN
CAPITAL FIRST-DEGREE MURDER CASES**

This 17th day of August, 2016,

It appearing that the Supreme Court of Delaware has answered the certified questions of law in *Benjamin Rauf v. State of Delaware*, Del. Supr., No. 39, 2016, and the Delaware Attorney General has indicated he will not seek United States Supreme Court review of that decision,

NOW, THEREFORE, IT IS DIRECTED that Administrative Directive No. 2016-2 dated February 1, 2016, which provided for the temporary stay of all applications asking this Court to declare Delaware's capital sentencing scheme unconstitutional, trials and penalty hearings in capital first-degree murder cases ("Affected First-Degree Murder Cases"), be and it is hereby rescinded.

IT IS FURTHER DIRECTED that the trial dates previously set in the Affected First-Degree Murder Cases shall remain as scheduled unless modified by the assigned trial judge on application of the parties due to unforeseen circumstances and for good cause shown. In the event of a scheduling conflict between an Affected First-Degree Murder Case and a civil case, the assigned trial judge shall give priority to the criminal case, and the civil case will be reassigned to a judge available to try it or reschedule it as may be appropriate.

/s/ Jan R. Jurden

President Judge

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xc: Superior Court Judges
Hon. Matt Denn
Hon. Brendan O'Neill
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