

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE PETITION       §  
OF AUGUSTUS H. EVANS, JR. FOR       § No. 572, 2016  
A WRIT OF MANDAMUS                   §

Submitted: December 16, 2016  
Decided: February 6, 2017

Before **STRINE**, Chief Justice; **HOLLAND**, and **VALIHURA**, Justices.

**ORDER**

This 6<sup>th</sup> day of February 2017, the Court has considered the petition of Augustus Evans for a writ of mandamus and his response to the Court's rule to show cause and has determined that Evans' petition should be summarily dismissed under Supreme Court Rule 29(c). Under no circumstances can Evans state a claim that he is entitled to the disqualification of the Superior Court judge assigned to his criminal matter. Despite his contentions to the contrary, this issue has been previously litigated against him.<sup>1</sup>

NOW, THEREFORE, IT IS ORDERED that the petition for the issuance of an extraordinary writ is DISMISSED.

BY THE COURT:

  
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Justice

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<sup>1</sup> *Evans v. State*, 1998 WL 40222 (Del. Jan. 16, 1998)