

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WAYMOND WRIGHT,	§	
	§	No. 234, 2017
Defendant Below-	§	
Appellant,	§	
	§	
v.	§	Court Below—Superior Court
	§	of the State of Delaware
STATE OF DELAWARE,	§	
	§	ID. No. 1208019720 (N)
Plaintiff Below-	§	
Appellee.	§	

Submitted: June 20, 2017

Decided: July 7, 2017

Before VALIHURA, VAUGHN, and SEITZ, Justices.

ORDER

This 7th day of July 2017, upon consideration of the notice to show cause and the appellant's response, it appears to the Court that:

(1) The appellant, Waymond Wright, filed this appeal from a decision of the Superior Court dated May 16, 2017, denying his motion for the appointment of counsel, which he filed in conjunction with his first motion for postconviction relief. The Senior Court Clerk issued a notice directing Wright to show cause why his appeal should not be dismissed for this Court's lack of jurisdiction to entertain an interlocutory appeal in a criminal matter.

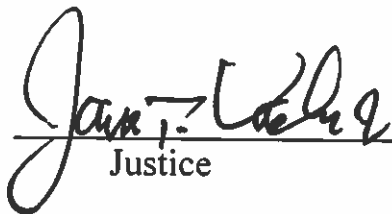
(2) Wright filed a response to the notice to show cause on June 20, 2017. The response addresses the merits of his request for counsel but does not address the interlocutory nature of this appeal.

(3) Under the Delaware Constitution, only a final judgment may be reviewed by the Court in a criminal case.¹ The Court has no jurisdiction to entertain an appeal from an interlocutory order in a criminal matter.²

(4) The Superior Court's May 16, 2017 order is an interlocutory order. The denial of the motion for appointment of counsel is not appealable as a collateral order before the entry of a final judgment on Wright's postconviction motion.³

NOW, THEREFORE, IT IS ORDERED that this appeal is hereby DISMISSED.

BY THE COURT:


Justice

¹ Del. Const. art. IV, § 11(1)(b).

² *Robinson v. State*, 704 A.2d 269, 271 (Del. 1998).

³ *Harris v. State*, 2013 WL 4858990 (Del. Sept. 10, 2013).