IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE \$
PETITION OF JONATHAN ELEY \$ No. 24, 2014
FOR A WRIT OF HABEAS \$
CORPUS. \$

Submitted: February 3, 2014 Decided: February 11, 2014

Before HOLLAND, JACOBS and RIDGELY, Justices.

ORDER

This 11th day of February 2014, it appears to the Court that:

- (1) On January 16, 2014, Jonathan Eley filed a document entitled "Motion for Habeas Corpus Order." Eley's document was docketed as a petition for a writ of habeas corpus.
- (2) On January 16, 2014, the Clerk issued a notice directing that Eley show cause why the petition should not be dismissed based on this Court's lack of original jurisdiction to issue a writ of habeas corpus. On January 21, 2014, the State of Delaware filed an answer and motion to dismiss that also sought to dismiss the petition based on the Court's lack of jurisdiction.
- (3) On January 27, 2014, Eley filed a response to the notice to show cause. Eley has not filed a separate response to the motion to dismiss.

Eley's response to the notice to show cause does not address the jurisdictional issue raised in the notice.

(4) It is well-settled that this Court has no original jurisdiction to issue a writ of habeas corpus.* Eley's petition manifestly fails on its face to invoke the original jurisdiction of the Court.

NOW, THEREFORE, IT IS HEREBY ORDERED that the State's motion to dismiss is GRANTED. The petition for a writ of habeas corpus is DISMISSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice

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^{*} In re Cantrell, 678 A.2d 525, 526 (Del. 1996).