

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JAY M. RINGGOLD,	§
	§ No. 130, 2014
Defendant Below-	§
Appellant,	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID 1006015765
	§
Plaintiff Below-	§
Appellee.	§

Submitted: March 21, 2014

Decided: April 2, 2014

Before **HOLLAND, BERGER,** and **JACOBS,** Justices.

ORDER

This 2nd day of April 2014, it appears to the Court that:

(1) On March 12, 2014, the Court received appellant’s notice of appeal from an order dated February 10, 2014, which was entered by a Superior Court Commissioner. The Senior Court Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing appellant to show cause why the appeal should not be dismissed for this Court’s lack of jurisdiction to consider an appeal directly from a Superior Court Commissioner’s order.¹

¹ See *Johnson v. State*, 884 A.2d 475, 479 (Del. 2005).

(2) Appellant filed a response to the notice to show cause on March 21, 2014. His response concedes that the Commissioner's order is not directly appealable to this Court. He requests the Court to stay his appeal until a judge of the Superior Court has reviewed the Commissioner's ruling and issued a final order in his case.

(3) As appellant acknowledges, his right to review of the Commissioner's order is to a judge of the Superior Court.² This Court has no jurisdiction to consider this appeal in the first instance and, thus, has no jurisdiction to stay the appeal. Appellant may file another notice of appeal once a Superior Court judge has entered a final order in his case.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Carolyn Berger
Justice

²Del. Super. Ct. Crim. R. 62(a)(5)(iv) (2014).