IN THE SUPREME COURT OF THE STATE OF DELAWARE

CHARLES COBB,	§	
	§	
Defendant Below,	§	No. 251, 2013
Appellant,	§	
	§	
v.	§	Court Below—Superior Court
	§	of the State of Delaware,
STATE OF DELAWARE,	§	in and for New Castle County
	§	Cr. ID 30009343DI
Plaintiff Below,	§	
Appellee.	§	

Submitted: July 10, 2013
Decided: August 1, 2013

Before **STEELE**, Chief Justice, **JACOBS** and **RIDGELY**, Justices.

O R D E R

This 1st day of August 2013, upon consideration of the appellant's opening brief, the State's motion to affirm, and the record on appeal, it appears to the Court that:

(1) The appellant, Charles Cobb, filed this appeal from the Superior Court's denial of his motion for correction of sentence. The State has filed a motion to affirm the judgment below on the ground that it is manifest on the face of Cobb's opening brief that his appeal is without merit. We agree and affirm.

(2) In his motion for correction of sentence filed in the Superior Court, Cobb argued that the Board of Parole erred in September 2001 when

it ordered, following a violation of parole hearing, that Cobb forfeited his right to all good time previously earned. Cobb contended that much of the good time that was ordered to be forfeited had been earned on a 1992 sentence that he had fully served. Cobb contends that it was illegal for the Board of Parole to forfeit that good time. He raises the same argument on appeal.

(3) A motion for correction of illegal sentence under Superior Court Criminal Rule 35(a), however, is not an appropriate method to seek the Superior Court's review of the actions of the Board of Parole. The narrow function of a motion under Rule 35(a) is to review the legality of the sentence imposed by the trial court.[1] It provides no basis for review of decisions by the Board of Parole. Accordingly, we find no error in the Superior Court's denial of Cobb's motion for correction of illegal sentence, although we affirm on independent and alternative grounds.[2]

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice

[1] *Brittingham v. State*, 705 A.2d 577, 578 (Del. 1998).

[2] *Mathis v. State*, 2010 WL 2197625 (Del. June 2, 2010).