

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WILLIAM GREGORY,	§
	§ No. 261, 2014
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 9811012362
Plaintiff Below-	§
Appellee.	§

Submitted: May 28, 2014

Decided: June 4, 2014

Before **STRINE**, Chief Justice, **BERGER**, and **RIDGELY**, Justices.

ORDER

This 4th day of June 2014, upon consideration of the notice to show cause and the appellant's response thereto, it appears to the Court that:

(1) The appellant, William Gregory, filed this appeal from a decision of the Superior Court, dated April 28, 2014, which denied his motion for the appointment of counsel to assist him in filing his fourth motion for postconviction relief. On May 20, 2014, the Clerk of this Court issued a notice to Gregory to show cause why the appeal should not be dismissed based on the Court's lack of jurisdiction to entertain an interlocutory appeal in a criminal case.

(2) Gregory filed a response to the notice to show cause on May

28, 2014. Gregory's response does not address the jurisdictional defect raised in the notice to show cause, but instead argues the merits of his motion for appointment of counsel.

(3) Under the Delaware Constitution, this Court may only review a final judgment in a criminal case.¹ The Superior Court's denial of Gregory's motion for counsel is clearly an unappealable interlocutory ruling.² As a result, this Court does not have jurisdiction to review this appeal.³

NOW, THEREFORE, IT IS ORDERED that the within interlocutory appeal is DISMISSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice

¹ Del. Const. art. IV, § 11(1)(b).

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

³ See *Gottlieb v. State*, 697 A.2d 400 (Del. 1997).