

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE                   §  
PETITION OF DANIEL M.               § No. 617, 2015  
PASKINS, JR. FOR A WRIT OF       §  
MANDAMUS                               §

Submitted: January 25, 2016  
Decided:    January 28, 2016

Before VALIHURA, VAUGHN, and SEITZ, Justices.

**ORDER**

This 28<sup>th</sup> day of January 2016, it appears to the Court that:

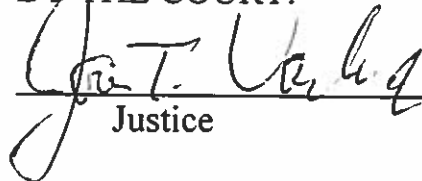
(1) On November 13, 2015, Daniel M. Paskins, Jr. filed a petition for a writ of mandamus ordering the Superior Court to release him from Level IV Work Release where he awaited installation of a Transdermal Alcohol Device to Level III probation. The State answered the petition and moved to dismiss because, among other things, the petition was moot in light of Paskins' release from Level IV Work Release to Level III probation.

(2) The Chief Deputy Clerk issued a notice directing Paskins to show cause his petition should not be dismissed for his failure to pay the filing fee or a motion to proceed *in forma pauperis* as he was previously directed to do. In his response to the notice to show cause, Paskins claims that he filed a motion to proceed *in forma pauperis* more than a month ago. No such motion was received by this Court.

(3) Dismissal of the petition is appropriate in light of Paskins' failure to pay the filing fee or a motion to proceed *in forma pauperis* as directed by the Court.<sup>1</sup> Dismissal is also appropriate because the petition is moot in light of Paskins' release from Level IV Work Release to Level III probation.

NOW, THEREFORE, IT IS ORDERED that the petition for the issuance of a writ of mandamus is DISMISSED.

BY THE COURT:

  
Justice

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<sup>1</sup> Supr. Ct. R. 29(b).