IN THE SUPREME COURT OF THE STATE OF DELAWARE

| GUANGO F. CORREA, | § |
|--------------------|--------------------------------------|
| | § No. 2, 2013 |
| Defendant Below, | § |
| Appellant, | § Court Below: Court of Common |
| | § Pleas of the State of Delaware, in |
| V. | § and for New Castle County |
| | § |
| STATE OF DELAWARE, | § Cr. No. 1010009934 |
| | § |
| Plaintiff Below, | § |
| Appellee. | § |

Submitted: January 14, 2013 Decided: February 5, 2013

Before STEELE, Chief Justice, HOLLAND and JACOBS, Justices.

ORDER

This 5th day of February 2013, it appears to the Court that:

(1) On January 2, 2013, the Court received the appellant's notice of appeal from a Court of Common Pleas May 10, 2012 violation of probation ("VOP") sentencing order. On January 3, 2013, the Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing the appellant to show cause why his appeal should not be dismissed for lack of jurisdiction to entertain an appeal from an order of the Court of Common Pleas in a criminal matter.¹

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¹ Del. Const. art. IV, §11(1)(b); Ct. Comm. Pleas Crim. R. 37.

(2) The appellant filed his response to the notice to show cause on January 14, 2013. The response states that his VOP sentence is constitutionally invalid and attaches a number of documents, including the Court of Common Pleas docket sheet and a motion for sentence modification with a Superior Court caption, which has no date stamp.

(3) This Court has no jurisdiction to consider an appeal from the Court of Common Pleas in a criminal matter.² For that reason, we conclude that the appeal must be dismissed.

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

BY THE COURT:

/s/ Jack B. Jacobs
Justice

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² Del. Const. art. IV, §11(1)(b); Ct. Comm. Pleas Crim. R. 37.