

**SUPERIOR COURT
OF THE
STATE OF DELAWARE**

WILLIAM L. WITHAM, JR.
RESIDENT JUDGE

**KENT COUNTY COURT HOUSE
38 THE GREEN
DOVER, DELAWARE 19901**

May 1, 2015

Mr. Warren Chapman, Inmate
James T. Vaughn Correctional Center
1181 Paddock Road
Smyrna, Delaware 19977

Re: ***State v. Warren Chapman***
I.D. No. 9905015253

Dear Mr. Chapman:

This is in response to your motion for transcript and your application to proceed *in forma pauperis*.

Your application to proceed *in forma pauperis* is ***granted***.

There is no blanket constitutional right to a free transcript in a post-conviction proceeding. *State v. Bordley*, 1989 Del. Super., LEXIS 435. In this State, the right to a transcript in connection with post-conviction relief is governed by Superior Court Criminal Rule 61(d)(3), which states: "The judge may order the preparation of a transcript of any part of the prior proceedings in the case needed to determine whether the movant may be entitled to relief." The defendant must offer a factual basis or clear identification of fundamental rights which were violated which demonstrates a particularized need for a transcript. Your motion fails to meet this standard. In addition, the issues raised are controlled by settled Delaware law. Therefore, your motion for a transcript is ***denied***.

IT IS SO ORDERED.

/s/ William L. Witham, Jr.
Resident Judge

WLW/dmh
oc: Prothonotary
xc: Mr. Warren Chapman, JTVCC
Department of Justice
Public Defender's Office
File