

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE §
PETITION OF DONALD BIBLE § No. 486, 2015
FOR A WRIT OF MANDAMUS §

Submitted: September 17, 2015
Decided: November 18, 2015

Before **STRINE**, Chief Justice; **HOLLAND** and **VALIHURA**, Justices.

O R D E R

This 18th day of November 2015, it appears to the Court that:

(1) The petitioner, Donald Bible, has filed a petition for a writ of mandamus under Supreme Court Rule 43. Bible requests that the Court issue a writ of mandamus directing the Governor and the General Assembly “to repeal and/or amend” June 2014 amendments to Superior Court Criminal Rule 61.

(2) Upon receipt of the petition for a writ of mandamus, the Clerk issued a notice under Supreme Court Rule 29(b), directing Bible to show cause why the petition should not be dismissed for lack of jurisdiction. Bible filed a response to the notice, contending that the Court has the authority to issue a writ of mandamus “to compel an officer or employee in the State . . . to perform a duty owed to a plaintiff.”

(3) Bible is mistaken. This Court’s “original jurisdiction to issue a writ of mandamus is limited to instances when the respondent is a court or a

judge thereof.”¹ The Court has no jurisdiction to issue a writ of mandamus to the Governor or the General Assembly.²

NOW, THEREFORE, IT IS ORDERED, under Supreme Court Rules 29(b) and 43, that the petition for a writ of mandamus is DISMISSED.

BY THE COURT:

/s/ Randy J. Holland
Justice

¹ *Anderson v. State*, 2015 WL 5275853 (Del. Sept. 9, 2015) (quoting *In re Hitchens*, 600 A.2d 37, 38 (Del. 1991)).

² See Del. Const. art. IV, § 11(5) (defining Court’s original jurisdiction to issue extraordinary writs).