

**SUPERIOR COURT  
OF THE  
STATE OF DELAWARE**

**RICHARD F. STOKES**  
*JUDGE*

**SUSSEX COUNTY COURTHOUSE**  
1 THE CIRCLE, SUITE 2  
GEORGETOWN, DE 19947  
TELEPHONE (302) 856-5264

September 4, 2013

Bishop Cadelus  
Worcester County Jail  
P.O. Box 189  
Snow Hill, MD 21863

RE: *State of Delaware v. Bishop Cadelus*, Def. ID# 0811014999 (R-1)

DATE SUBMITTED: August 22, 2013

Dear Mr. Cadelus:

Pending before the Court is the motion of defendant Bishop Cadelus (“defendant”) seeking postconviction relief pursuant to Superior Court Criminal Rule 61 (“Rule 61”). Defendant alleges ineffective assistance of counsel, arguing trial counsel failed to inform him of the collateral consequences of his plea with regard to his immigration status; illegal detention, search and seizure; and that certain evidence should have been suppressed.

Defendant pled guilty to possession with intent to distribute cocaine on May 22, 2009. He was sentenced to Level 5 for ten years, suspended for 18 months of probation. On February 17, 2010, he was discharged from probation. Defendant is not in custody on this sentence nor is he subject to future custody on this sentence. In light of that fact, he has no standing to seek relief

pursuant to Rule 61.<sup>1</sup> Consequently, the motion is denied.

IT IS SO ORDERED.

Very truly yours,

*/s/ Richard F. Stokes*

Richard F. Stokes

cc: Prothonotary's Office  
Department of Justice

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<sup>1</sup>*Ruiz v. State*, 23 A.3d 866, 2011 WL 2651093 (Del. July 6, 2011) (TABLE).