

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JONATHAN S. HALL,	§	
	§	No. 196,2020
Defendant Below,	§	
Appellant,	§	
	§	
v.	§	Court Below: Superior Court
	§	of the State of Delaware
STATE OF DELAWARE,	§	
	§	Cr. I.D. Nos. 1507014587 (N)
Plaintiff Below,	§	1507024327 (N)
Appellee.	§	

Submitted: July 6, 2020
Decided: August 5, 2020

Before **SEITZ**, Chief Justice; **TRAYNOR** and **MONTGOMERY-REEVES**, Justices.

ORDER

Upon consideration of the notice to show cause and the responses thereto, it appears to the Court that:

(1) On June 8, 2020, the appellant, Jonathan Hall, filed a notice of appeal from the Superior Court’s March 20, 2020 order denying his motion for correction of an illegal sentence and the Superior Court’s April 21, 2020 order denying his motion for appointment of counsel. The Senior Clerk docketed the two appeals and issued a notice directing Hall to show cause why his appeal of the Superior Court’s April 21, 2020 order denying his motion for appointment of counsel should not be

dismissed because this Court lacks jurisdiction to entertain a criminal interlocutory appeal.¹

(2) On June 26, 2020, Hall filed a response to the notice to show cause, arguing that the Superior Court's order denying his motion for appointment of counsel is a final order. The State, at the Court's request, has replied and clarified that Hall filed the motion for appointment of counsel in connection with a motion for postconviction relief. Although the Superior Court denied Hall's motion for appointment of counsel by way of its April 21, 2020 order, Hall's motion for postconviction relief remains pending in the Superior Court.

(3) This Court lacks jurisdiction to review interlocutory rulings of the Superior Court in a pending criminal case prior to the entry of a final order.² Because the Superior Court's April 21, 2020 order denying Hall's motion for appointment of counsel is an interlocutory order, it is not appealable before the entry of a final order on Hall's motion for postconviction relief.³

¹ Hall's appeal from the Superior Court's denial of his motion for correction of an illegal sentence is Case No. 195, 2020.

² Del. Const. art. IV, § 11(1)(b); *Rash v. State*, 318 A.2d 603, 604 (Del. 1974).

³ *Harris v. State*, 2013 WL 4858990, at *1 (Del. Sept. 10, 2013).

NOW, THEREFORE, IT IS HEREBY ORDERED, under Supreme Court Rule 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Tamika R. Montgomery-Reeves
Justice