

IN THE SUPREME COURT OF THE STATE OF DELAWARE

AMIR FATIR,	§
	§
Petitioner Below,	§ No. 246, 2020
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ C.A. No. K20M-01-015
	§
Respondent Below,	§
Appellee.	§

Submitted: November 24, 2020

Decided: January 5, 2021

Before **VAUGHN, TRAYNOR, and MONTGOMERY-REEVES**, Justices.

ORDER

After careful consideration of the appellant’s opening brief, the State’s motion to affirm, and the record on appeal, we conclude that the judgment below should be affirmed on the basis of the Superior Court’s order dated April 30, 2020, dismissing the appellant’s petition for a writ of prohibition and the Superior Court’s order dated July 22, 2020, denying the appellant’s motion for reconsideration. “The purpose of a writ of prohibition is to prevent a lower tribunal from exceeding its jurisdiction.”¹ It is an extraordinary remedy “issued by a superior to an inferior tribunal to prevent it from exercising jurisdiction over matters not legally within its cognizance, or to

¹ *Workers Comp. Fund v. Indus. Accident Bd.*, 2007 WL 2323494 (Del. May 1, 2007).

prevent it from exceeding its jurisdiction in matters over which it admittedly has cognizance.”² The petition, even read in the light most favorable to the appellant and considering the additional documents that the petitioner submitted in support of his motion for reconsideration, does not state facts that support an inference that the Board of Pardons is illegally exercising jurisdiction over the petitioner.

NOW, THEREFORE, IT IS ORDERED that the motion to affirm is GRANTED and the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Gary F. Traynor
Justice

² *Id.* (internal quotation omitted).