

Superior Court
of the
State of Delaware

Jan R. Jurden
President Judge

Leonard L. Williams Justice Center
500 North King Street, Suite 10400
Wilmington, Delaware 19801-3733
Telephone (302) 255-0665

March 3, 2021

Everett E. Smith
DOC ID# 00481150
Roxbury Correctional Institution
18701 Roxbury Road
Hagerstown, Maryland 21746

RE: State v. Everett E. Smith, ID No. 1211004907

Dear Mr. Smith:

On February 1, 2021, the Court received your letter asking the Court to either lift your detainer or schedule a date for you to appear before the Court.¹ In your letter, you explain that you have been at the Maryland Reception, Diagnostic and Classification Center (“MRDCC”) for five years and believe that you will not be able to “get anything” until the Court lifts your detainer.²

On February 24, 2021, the State filed a letter containing information about your detainer status.³ The MRDCC told the State that you had a hearing scheduled with the Maryland Parole Commission (“Commission”) for February 17, 2021 but that the hearing would be postponed while the Commission gathered additional information.⁴ The MRDCC also told the State that you were supposed to be transferred to the Roxbury Correctional Institution on February 18, 2021.⁵

¹ D.I. 116.

² *Id.*

³ D.I. 118.

⁴ *Id.*

⁵ *Id.* The Maryland Department of Public Safety and Correctional Services Inmate Locator indicates that you have, in fact, been transferred to the Roxbury Correctional Institution.

According to the State, your return to Delaware depends on whether the Commission grants you parole. If it does, “then the State believes that [you] will become available for extradition to Delaware, and the State will take the necessary steps to ensure [your] prompt return.”⁶ If it does not, then the State will contact Maryland about securing your temporary return to resolve the *capias* issue underlying your detainer. Either way, the matter is not one for the Court to resolve. Accordingly, your request is **DENIED**.

IT IS SO ORDERED.

Very truly yours,

/s/ Jan R. Jurden

Jan R. Jurden
President Judge

JRJ:mls

cc: Prothonotary
A.J. Roop (DAG)

⁶ *Id.*