

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE)
)
)
 v.) I.D. NO.: 1909006600
)
)
 CARLTON KILSON)
)
 Defendant.)
)

Submitted: August 6, 2024
Decided: October 21, 2024

ORDER

On this 21st day of October, 2024, upon consideration of Defendant Carlton Kilson’s (“Defendant”) *pro se* Motion for Correction of Illegal Sentence (the “Motion”),¹ the sentence imposed upon Defendant, and the record in this case, it appears to the Court that:

1. On June 27, 2024, Defendant was sentenced to 90 days at Level V, no probation to follow, for violating the terms of his probation.² Subsumed in that

¹ On July 31, Defendant sent a letter to the Court, seeking a correction of his sentence. *See* D.I. 43. Subsequently, on August 6, 2024, Defendant filed a motion for correction of illegal sentence on the same basis. *See* D.I. 44 (the Motion). This Order shall resolve the matters set forth in both submissions.

² D.I. 41 (Sentence Order). Defendant was found in violation of his probation through his commission of home improvement fraud. *See id.* The 90-day sentence had an effective date of June 12, 2024, with credit for 18 days previously served. *See id.*


sentence was a violation of probation originating from the Court of Common Pleas, which the Court consolidated under SB 50.³ Subsequently, notwithstanding the consolidation, Defendant was found guilty and sentenced to 60 days at Level 5 for violating the terms of his probation in the Court of Common Pleas.

2. On August 6, 2024, Defendant filed this Motion pursuant to Superior Court Criminal Rule 35(a).⁴ In the Motion, Defendant asks the Court to vacate his 60-day Level V sentence imposed by the Court of Common Pleas.⁵

3. Department of Correction's records indicate that Defendant's sentence was corrected and that he was released from custody on August 16, 2024.

4. Accordingly, Defendant's Motion is **DENIED** as **MOOT**.

IT IS SO ORDERED.



Sheldon K. Rennie, Judge

Original to Prothonotary

cc: Carlton Kilson (SBI# 00313300)

³ *Id.* The Sentencing Worksheet indicates in the box titled "SB 50" that the case numbered "CCP-VN1910379101" has been consolidated. *See id.*

⁴ D.I. 44.

⁵ *Id.*