

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DARREN STAATS,	§
	§ No. 251, 2024
Defendant Below,	§
Appellant,	§ Court Below—Superior Court
	§ of the State of Delaware
v.	§
	§ Cr. ID No. 2308015660 (N)
STATE OF DELAWARE,	§
	§
Appellee.	§

Submitted: December 5, 2024

Decided: January 3, 2025

Before **SEITZ**, Chief Justice; **LEGROW** and **GRIFFITHS**, Justices.

**ORDER**

After consideration of the appellant’s brief filed under Rule 26(c), his attorney’s motion to withdraw, and the State’s response, the Court concludes that:

(1) In December 2023, a grand jury charged the appellant, Darren Staats, with possession of a firearm by a person prohibited (“PFBPP”) and possession of ammunition by a person prohibited (“PABPP”). On June 3, 2024, Staats pleaded guilty to PFBPP. As part of the plea agreement, the parties agreed to recommend a sentence of fifteen years of Level V incarceration, suspended after the ten-year minimum for eighteen months of Level III probation with GPS monitoring. The Superior Court accepted Staats’s guilty plea and imposed the recommended sentence. This appeal followed.

(2) On appeal, Staats’s counsel (“Counsel”) filed a brief and a motion to withdraw under Supreme Court Rule 26(c). Counsel asserts that, based upon a complete and careful examination of the record, there are no arguably appealable issues. Counsel informed Staats of the provisions of Rule 26(c) and provided Staats with a copy of the motion to withdraw and the accompanying brief.

(3) Counsel also informed Staats of his right to identify any points he wished this Court to consider on appeal. Staats has not submitted any points for this Court’s consideration.

(4) When reviewing a motion to withdraw and an accompanying brief under Rule 26(c), this Court must: (i) be satisfied that defense counsel has made a conscientious examination of the record and the law for arguable claims; and (ii) conduct its own review of the record and determine whether the appeal is so totally devoid of at least arguably appealable issues that it can be decided without an adversary presentation.<sup>1</sup>

(5) Having reviewed the record, we conclude that Staats’s appeal is wholly without merit and devoid of any arguably appealable issue. We also are satisfied that Counsel has made a conscientious effort to examine the record and the law and has properly determined that Staats could not raise a meritorious claim in this appeal.

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<sup>1</sup> *Penon v. Ohio*, 488 U.S. 75, 83 (1988); *Leacock v. State*, 690 A.2d 926, 927-28 (Del. 1996).

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED. The motion to withdraw is moot.

BY THE COURT:

/s/ N. Christopher Griffiths  
Justice