

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ASHA WATSON,	§
	§
Defendant Below,	§ No. 49, 2025
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID No. 2306004308 (N)
	§
Appellee.	§

Submitted: July 7, 2025
Decided: August 13, 2025

Before **SEITZ**, Chief Justice; **VALIHURA** and **TRAYNOR**, Justices.

ORDER

After consideration of the brief and motion to withdraw filed by the appellant’s counsel under Supreme Court Rule 26(c), the State’s response, and the record on appeal, it appears to the Court that:

(1) A Superior Court jury found the appellant, Asha Watson, guilty of misdemeanor shoplifting, as a lesser-included offense of felony shoplifting. The jury acquitted Watson of second-degree conspiracy. The Superior Court sentenced Watson to one year of imprisonment, suspended for one year of Level I probation. This is Watson’s direct appeal.

(2) Watson’s counsel has filed a brief and a motion to withdraw under Supreme Court Rule 26(c). Counsel asserts that, based upon a conscientious review

of the record and the law, the appeal is without merit. In his statement filed under Rule 26(c), counsel indicates that he provided Watson with a copy of the motion to withdraw and the accompanying brief and informed Watson of her right to submit any points that she wanted this Court to consider on appeal. Watson has not submitted any points for the Court's consideration. The State has responded to the Rule 26(c) brief and argues that the Superior Court's judgment should be affirmed.

(3) When reviewing a motion to withdraw and an accompanying brief under Rule 26(c), this Court must be satisfied that the appellant's counsel has made a conscientious examination of the record and the law for arguable claims.¹ This Court must also conduct its own review of the record and determine whether "the appeal is indeed so frivolous that it may be decided without an adversary presentation."²

(4) The Court has carefully reviewed the record and concluded that the appeal is wholly without merit and devoid of any arguably appealable issue. We also are satisfied that counsel made a conscientious effort to examine the record and the law and properly determined that Watson could not raise a meritorious claim on appeal.

¹ *Penson v. Ohio*, 488 U.S. 75, 82-83 (1988); *McCoy v. Court of Appeals of Wisconsin*, 486 U.S. 429, 442 (1988); *Anders v. California*, 386 U.S. 738, 744 (1967).

² *Penson*, 488 U.S. at 82.

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

BY THE COURT:

/s/ Karen L. Valihura
Justice