

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE §
PETITION OF JASON E. WILSON § No. 265, 2025
FOR A WRIT OF MANDAMUS §
 §

Submitted: August 7, 2025
Decided: October 7, 2025

Before **TRAYNOR, LEGROW**, and **GRIFFITHS**, Justices.

ORDER

After consideration of the petition for a writ of mandamus and the State of Delaware’s answer and motion to dismiss, it appears to the Court that:

(1) The petitioner, Jason Wilson (also known as Jason Torres), seeks to invoke the original jurisdiction of this Court, under Supreme Court Rule 43, to issue a writ of mandamus directing the Superior Court to dismiss, with prejudice, the charges pending against him in Criminal Action No. 2409011178. We conclude that Wilson’s petition manifestly fails to invoke the original jurisdiction of this Court and must therefore be dismissed.

(2) The record reflects that Wilson was arrested for driving under the influence (“DUI”) and related offenses on September 22, 2024. Three days after the case was accepted in the Superior Court, an assistant public defender entered her appearance on behalf of Wilson (“Defense Counsel”). On March 13, 2025, Defense Counsel filed a motion to dismiss based on the State’s failure to prosecute its case.

On April 2, 2025, the Superior Court found the motion to dismiss to be moot because the grand jury had returned an indictment. On June 20, 2025, Wilson, who continued to be represented by Defense Counsel, filed ten *pro se* motions, including a motion to proceed *pro se*. On June 30, 2025, the Superior Court denied the motions and forwarded them to Defense Counsel for appropriate action. On July 8, 2025, Wilson filed a petition for a writ of mandamus in this Court. In his petition, Wilson argues, among other things, that (i) he was not indicted within a legal time frame, (ii) Defense Counsel is ineffective, (iii) the State is withholding discovery from him, (iv) his blood sample is inadmissible at trial. Wilson attached to his petition various motions captioned in the Superior Court, presumably copies of the *pro se* motion mentioned above.

(4) A writ of mandamus will issue to a trial court only if the petitioner can show that: (i) he has a clear right to the performance of a duty; (ii) no other adequate remedy is available; and (iii) the trial court has arbitrarily failed or refused to perform its duty.¹ “[I]n the absence of a clear showing of an arbitrary refusal or failure to act, this Court will not issue a writ of mandamus to compel a trial court to perform a particular judicial function, to decide a matter in a particular way, or to dictate the control of its docket.”²

¹ *In re Bordley*, 545 A.2d 619, 620 (Del. 1988).

² *Id.*

(5) There is no basis for the issuance of a writ of mandamus here. The Superior Court docket reflects that the Superior Court granted Wilson’s request to proceed *pro se* and appointed standby counsel on September 2, and a Superior Court jury found Wilson guilty of fourth offense DUI after a four-day trial two weeks later. The Superior Court sentenced Wilson on September 19, 2025. Wilson’s petition for a writ of mandamus must fail because he has another remedy available to him—namely, the appellate process.

NOW, THEREFORE, IT IS HEREBY ORDERED that the State’s motion to dismiss is GRANTED. The petition for a writ of mandamus is DISMISSED.

BY THE COURT:

/s/ Abigail M. LeGrow
Justice