

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ALLAN HENDERSON,	§
	§
Defendant Below,	§ No. 30, 2025
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID No. N2301012768
	§
Appellee.	§

Submitted: August 27, 2025
Decided: October 20, 2025

Before **TRAYNOR, LEGROW**, and **GRIFFITHS**, 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) The appellant, Allan Henderson Jr., pleaded guilty to the second-degree murder of his father, Allan Henderson Sr., as a lesser-included offense of first-degree murder, and possession of a deadly weapon during the commission of a felony (“PDWDCF”). After considering the presentence investigation report; the State’s sentencing memorandum; the defense sentencing memorandum, which attached a psychiatrist’s detailed report of a psychiatric evaluation of Henderson; and remarks by the State, defense counsel, the victim’s brother, and the defendant, the Superior

Court sentenced Henderson as follows: for second-degree murder, life imprisonment; for PDWDCF, twenty-five years of imprisonment, suspended after two years.

(2) In this direct appeal, Henderson’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 wholly without merit. In her statement filed under Rule 26(c), counsel indicates that she informed Henderson of the provisions of Rule 26(c) and provided him with a copy of the motion to withdraw and the accompanying brief. Counsel also informed Henderson of his right to submit points he wanted this Court to consider on appeal. Henderson has not submitted any issues 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 also must conduct its own review of the record and determine whether “the

¹ *Person 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).

appeal is indeed so frivolous that it may be decided without an adversary presentation.”²

(4) The Court has reviewed the record carefully 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 Henderson could not raise a meritorious claim on appeal.

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

BY THE COURT:

/s/ Abigail M. LeGrow
Justice

² *Penson*, 488 U.S. at 82.