

IN THE SUPREME COURT OF THE STATE OF DELAWARE

STACY JENKINS,	§
	§ No. 464, 2025
Defendant Below,	§
Appellant,	§ Court Below–Superior Court
	§ of the State of Delaware
v.	§
	§ Cr. ID No. 2409002200 (N)
STATE OF DELAWARE,	§
	§
Appellee.	§
	§

Submitted: April 15, 2026
Decided: June 18, 2026

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

ORDER

After consideration of the no-merit brief and motion to withdraw filed by the appellant’s counsel under Supreme Court Rule 26(c), the appellee’s response, and the Superior Court record, it appears to the Court that:

(1) Following a one-day bench trial, the appellant, Stacy Jenkins, was found guilty of one count of third-degree child abuse. The presiding Superior Court judge immediately sentenced Jenkins to two years of incarceration, suspended for one year of Level II probation. This is Jenkins’ direct appeal.

(2) Jenkins’ counsel on appeal has filed a brief and a motion to withdraw under Rule 26(c). Counsel asserts that, after a complete and careful examination of the record, he can identify no arguably appealable issues. Counsel informed Jenkins

of the provisions of Rule 26(c) and provided her with a copy of the motion to withdraw and a draft of the accompanying brief. Counsel also informed Jenkins of her right to supplement her attorney's presentation. Jenkins has not raised any issues for the Court's consideration. The State has responded to the Rule 26(c) brief and has moved to affirm the Superior Court's judgment.

(3) The standard and scope of review applicable to the consideration of a motion to withdraw and an accompanying brief under Rule 26(c) is twofold. First, the Court must be satisfied that defense counsel has made a conscientious examination of the record and the law for claims that could arguably be raised on appeal.¹ Second, the Court must 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.²

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

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

² *Penson*, 488 U.S. at 81-82.

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

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Chief Justice