

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DOMINIQUE MELTON,	§
	§ No. 225, 2026
Defendant Below,	§
Appellant,	§ Court Below—Superior Court
	§ of the State of Delaware
v.	§
	§ Cr. ID Nos. 2309012425A/B (K)
STATE OF DELAWARE,	§
	§
Appellee.	§

Submitted: July 1, 2026

Decided: July 9, 2026

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

ORDER

Upon consideration of the notice to show cause and the response, it appears to the Court that:

(1) The appellant, Donminique Melton, filed this appeal from a Superior Court Commissioner’s report recommending denial of his motion for postconviction relief under Superior Court Criminal Rule 61. The Chief Deputy Clerk issued a notice directing Melton to show cause why this appeal should not be dismissed for this Court’s lack of jurisdiction to consider an appeal directly from a Superior Court Commissioner’s order. In the document deemed to be his response to the notice to show cause, Melton argues the substantive merits of his motion for postconviction relief and does not address the jurisdictional defect.

(2) In the absence of intermediate review by a Superior Court judge, this Court has no jurisdiction to hear an appeal directly from a Superior Court Commissioner's order.¹ Melton may file a notice of appeal once the Superior Court enters a final order on his motion for postconviction relief. This appeal must be dismissed.

NOW, THEREFORE, IT IS ORDERED, that this appeal is dismissed under Supreme Court Rule 29(b).

BY THE COURT:

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

¹ *Johnson v. State*, 884 A.2d 475, 478 (Del. 2005).