

IN THE SUPREME COURT OF THE STATE OF DELAWARE

NIISIAIAH CARTER,	§	
	§	No. 28, 2026
Defendant Below,	§	
Appellant,	§	
	§	Court Below: Superior Court
v.	§	of the State of Delaware
	§	
STATE OF DELAWARE	§	Cr. I.D. No. 2407011158A (N)
	§	
Appellee.	§	

Submitted: September 23, 2026

Decided: September 23, 2026

Before **SEITZ**, Chief Justice; **LEGROW** and **ZURN**, Justices.

ORDER

After consideration of the parties’ briefs and the record on appeal, it appears to the Court that:¹

1. Niisaiah Carter appeals his conviction on several driving offenses. He contends the trial court erred by denying his motion for judgment of acquittal, arguing there was insufficient evidence to establish he was the driver.

2. Just after midnight on July 20, 2024 in Middletown, a police officer attempted to pull over a gray two-door Audi A5 for a registration violation.² The car did not stop; instead, it engaged in several unsafe and illegal maneuvers in a

¹ Citations in the form “A__” refer to the Appendix to Appellant’s Opening Brief. Citations in the form “B__” refer to the Amended Appendix to State’s Amended Answering Brief.

² A11, 24, 26.

downtown area with a 25 mile-per-hour speed limit.³ The officer ended the pursuit and radioed in what happened, the registration information, the direction the car was driving, and that the car was a gray Audi.⁴ The officer did not see the driver, and lost sight of the car.⁵

3. A second officer drove toward the location, saw a dark sedan using a turn lane to pass stopped cars, and verified the car's registration provided over the radio.⁶ The driver reacted to the police car and sped up to over 100 miles per hour, then slammed on its brakes, went the wrong way around a traffic circle, and drove towards the Middletown Police Department and into the neighborhood that abuts it, Willow Grove Mill.⁷ A third officer saw the car enter the Willow Grove Mill neighborhood.⁸

4. The police quickly set up a perimeter around Willow Grove Mill, stationed at its two entrances.⁹ The police did not see the car leave Willow Grove Mill.¹⁰ A

³ A12–13.

⁴ A15–16, 36.

⁵ A23–24.

⁶ A34–36.

⁷ A37, 39–40. The record refers to the neighborhood as both “Willow Grove” and “Willow Grove Mill.” *See, e.g.*, Docket Item (“D.I.”) 10 at 5 [hereinafter “Appellant’s Opening Br.”]; A16; A39.

⁸ A39–40.

⁹ *Id.*; B6.

¹⁰ A52; B6.

fourth officer found the car in Willow Grove Mill; it was unoccupied.¹¹ The first officer identified that car as the car that started it all.¹²

5. A K9 team responded to track and find the driver approximately forty-five minutes after the car was last seen driving into Willow Grove Mill.¹³ The dog was trained to track an individual and to search an area.¹⁴ The dog was presented with the driver's side of the vehicle to pick up a scent; she tracked the scent and found Carter in the woods approximately a quarter-mile from the car.¹⁵ The K9 officer testified there could be multiple odors on the handle if a rear passenger exited through the driver's door of the two-door sedan.¹⁶ Nobody else was found.¹⁷ Carter told the police no one else was with him.¹⁸ He was arrested at 1:10 am on July 20.¹⁹ The K9 unit announced the dog's presence and caused the dog to bark, but nobody

¹¹ A16; B6.

¹² A19.

¹³ A41, 78–79; B3, 5.

¹⁴ B18–19.

¹⁵ A32; B18; A81.

¹⁶ A80.

¹⁷ A77.

¹⁸ A32, 77, 84.

¹⁹ A26, 32.

responded.²⁰ The dog conducted an area search but did not find anyone else.²¹ The police also searched briefly but did not find signs of anyone else.²²

6. Carter was carrying a backpack, in which police found blue Q-tips with white tips.²³ Police found the same type of Q-tips in the woods and under the Audi's driver-side seat and rear passenger seat.²⁴

7. Police dusted the Audi for fingerprints but did not find any that were usable.²⁵ Police collected DNA samples from several places in the driver's side of the car, including the steering wheel, gear shifter, the driver-side door release lever, and the driver-side door handle.²⁶ Carter contributed DNA to the wheel, shifter, and door handle.²⁷ The wheel, shifter, and interior door handle also had DNA from an unknown male; Carter was the major contributor on the steering wheel and gear shifter.²⁸ The inside driver-side handle release only had DNA from Carter.²⁹ The lab technician testified this information meant Carter touched those locations or

²⁰ A86–87.

²¹ A85–87; B19.

²² A27–28.

²³ A42.

²⁴ A42–43.

²⁵ A21, 31, 57, 64; B12–13.

²⁶ A58; B11–12.

²⁷ A70–72, 103–04.

²⁸ A70–72, 103–04.

²⁹ A103–04; B8.

something that touched those locations at an unknown time.³⁰ The lab technician further noted that DNA can degrade slowly, lasting decades if the fingerprints are in good condition.³¹

8. Carter went to trial on charges of disregarding a police officer's signal, reckless driving, and disregarding a red light.³² After the State rested, Carter moved for a judgment of acquittal, arguing the State failed to establish he was the one driving.³³ The trial court denied the motion, sending the evidence to the factfinder.³⁴ Carter was convicted. This is his direct appeal.

9. The standard of review is well-settled.

This Court reviews a trial judge's denial of a motion for judgment of acquittal *de novo*. This Court must determine "whether any rational trier of fact, viewing the evidence in the light most favorable to the State, could find the defendant guilty beyond a reasonable doubt of all the elements of a crime."³⁵

³⁰ A73–75.

³¹ A68.

³² D.I. 12.

³³ D.I. 11; *see* A89–95.

³⁴ D.I. 11.

³⁵ *Lowther v. State*, 104 A.3d 840, 843 (Del. 2014) (quoting *Flonnory v. State*, 893 A.2d 507, 537 (Del. 2006)).

“In making this determination, the fact that most of the State’s evidence is circumstantial is irrelevant; the Court does not distinguish between direct and circumstantial evidence.”³⁶

10. Carter contends there was insufficient evidence to convict him of disregarding a police officer’s signal as the “driver,”³⁷ reckless driving as the “person” who “dr[o]ve any vehicle” recklessly,³⁸ and disregarding a red light as the “driver.”³⁹ He does not question the evidence of what the driver did: only that he was that driver.⁴⁰ According to Carter, the State “raised only suspicion that he may have been driving at some point.”⁴¹ In the absence of direct evidence, and relying on *Monroe v. State*, Carter contends he cannot be convicted in the absence of proof that his DNA was placed in the Audi at the time the crime was committed.⁴²

³⁶ *Monroe v. State*, 652 A.2d 560, 563 (Del. 1995) (internal quotations omitted; cleaned up); see *Skinner v. State*, 575 A.2d 1108, 1121 (Del. 1990).

³⁷ 21 Del. C. § 4103(b).

³⁸ 21 Del. C. § 4175(a).

³⁹ 21 Del. C. § 4108(a)(3).

⁴⁰ Appellant’s Opening Br. at 10 (framing the question presented as whether a “rational trier of fact” could find Carter guilty “when the State failed to prove beyond a reasonable doubt that [Carter] was the individual who steered and controlled the gray Audi A5 two-door sedan when those offenses occurred”).

⁴¹ *Id.* at 15.

⁴² *Id.* at 17–19 (citing *Monroe*, 652 A.2d at 564).

11. Identity is an “essential element” of every charge: it has “self-evident importance.”⁴³ In *Monroe*, the only evidence linking the defendant to the offenses was his latent fingerprints on Plexiglas shards from the public front door of a burglarized electronics store, and officer testimony that Monroe’s prints and unidentified prints were consistent with somebody pulling Plexiglas out of the door frame in order to enter the store.⁴⁴ Officers could not testify that Monroe’s prints came from inside the store.⁴⁵ There was no other evidence of identity, and no evidence of when Monroe’s prints were placed on the public door glass, which naturally accumulated many fingerprints.⁴⁶ Monroe’s girlfriend testified she and Monroe had windowshopped at the store the day before.⁴⁷

12. *Monroe* asked “whether fingerprint evidence under circumstances such as those presented here is sufficient to establish a perpetrator’s identity,” and concluded it was not, adopting a rule that “a conviction cannot be sustained *solely* on a defendant’s fingerprints being found on an object at a crime scene unless the

⁴³ *Monroe*, 652 A.2d at 567.

⁴⁴ *Id.* at 562, 565–66.

⁴⁵ *Id.* at 566.

⁴⁶ *Id.* at 566, 567.

⁴⁷ *Id.* at 562.

State demonstrates that the prints could have been impressed only at the time the crime was committed.”⁴⁸

13. That rule is “inapposite” when circumstantial evidence supports the inference that fingerprints or DNA were applied at the time of the offense.⁴⁹ *Monroe* itself explained fingerprints can support conviction “when the circumstances surrounding a defendant’s fingerprints create a strong inference that the defendant was the perpetrator,” such as the privacy of the printed object, the defendant’s degree of access to the object, and whether the manner of placement supports an inference they were placed during the offense.⁵⁰

⁴⁸ *Id.* at 564 (emphasis added); *accord id.* at 567 (“Our holding is limited to the facts before us today. We express no opinion on the sufficiency of fingerprint evidence to establish guilt in cases involving different circumstances.”).

⁴⁹ *Chavis v. State*, 227 A.3d 1079, 1095 (Del. 2020) (finding *Monroe* “inapposite” in the context of serial burglaries and peeping, where DNA from a first-floor bedroom window was accompanied by evidence that the defendant owned clothing matching surveillance photographs taken at times coinciding with complaints, police identified the defendant after a “chance encounter” with officers near the apartments, a phone found in his bedroom had a history of viewing AR15 rifle videos the same day an AR15 rifle had been stolen in an apartment burglary, and the phone had been near the apartments when burglaries were reported); *e.g.*, *Hamm v. State*, 810 A.2d 10, 2002 WL 1272284, at *1 (Del. 2002) (TABLE) (holding circumstantial evidence in a home burglary of fingerprints on an emptied storage box in the victim’s closet supported the inference of identity, given the private setting and the absence of evidence of any other access); *Cushner v. State*, 214 A.3d 443, 447 (Del. 2019) (holding fingerprints and circumstantial evidence in a trailer burglary supported an inference of identity, where fingerprints were found on a trailer parked on a secured lot, three out of the four prints were the defendant’s, and the victim saw the prints for the first time the morning after the burglary, along with a cut lock and a door left ajar).

⁵⁰ *Monroe*, 652 A.2d at 564.

14. Here, Carter's DNA is not the sole evidence of identity: additional evidence implicates Carter as the driver at the time of the offense. As Carter concedes, there is ample evidence he had driven the car recently. His DNA was placed in a manner consistent with driving the Audi: on the wheel, gear shifter, and driver's side door handle. Carter's DNA was not found in a public place, but rather a private vehicle. The inside of the car only had DNA from Carter and an unknown male. Only Carter's DNA was on the inside driver-side handle release, providing a rational inference that another person had not driven the car recently.

15. There is also circumstantial evidence Carter was driving the car at the time of the offenses. He was found with Q-Tips matching those found under the driver's seat and front passenger seat, placing him in the driver's seat close enough in time to still be possessing debris that had not been cleaned out of the car. Carter was found approximately a quarter-mile away from the Audi within minutes of its abandonment and within an hour of the crimes. He was found by a K9 who tracked him based on scent from the driver's side door. He told police nobody else was with him. When police found Carter, nobody else made their presence known or was found by police or the K9. And the record does not contain any evidence that Carter had access to the Audi at any time other than the crime, which might stymie an inference of identity.

16. This record is sufficient for a reasonable trier of fact to conclude beyond a reasonable doubt that Carter was the driver at the time of the crimes.

NOW THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Morgan T. Zurn
Justice