

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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|---------------------------|------------------------------|
| JASON E. WILSON, formerly | §                            |
| known as Jason E. Torres, | §                            |
|                           | § No. 436, 2025              |
| Defendant Below,          | §                            |
| Appellant,                | § Court Below—Superior Court |
|                           | § of the State of Delaware   |
| v.                        | §                            |
|                           | § Cr. ID Nos. N2409011178    |
| STATE OF DELAWARE,        | § N2401000296                |
|                           | §                            |
| Appellee.                 | §                            |

Submitted: July 24, 2026  
Decided: September 28, 2026

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

**ORDER**

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

(1) On April 22, 2024, a grand jury indicted the appellant, Jason E. Wilson, in case number N2401000296 for driving a vehicle while under the influence of alcohol (“DUI”) and other charges arising from Wilson’s conduct on January 1, 2024 (the “January DUI” or “January charges”). Before those charges were resolved, Wilson was arrested on September 22, 2024, for another DUI and other offenses in case number N2409011178 (the “September DUI” or the “September charges”).

(2) The September charges proceeded to trial in September 2025. Corporal Brandon Hartlove was a K9 handler with the New Castle County Police. Corporal

Hartlove testified that at around 1:30 a.m. on September 22, 2024, he was driving a marked police vehicle northbound on a road in Bear, Delaware when he observed a pickup truck drive through a stop sign without stopping and turn southbound into Corporal Hartlove's lane, nearly colliding head-on with his vehicle. The vehicles came to a stop facing each other. Corporal Hartlove turned on his white floodlights, and the driver of the pickup truck threw up his hands in a motion that Corporal Hartlove interpreted as the gesture a person would make when surrendering to police during an arrest. Corporal Hartlove observed the driver to be a white male wearing a very distinct, fluorescent yellow baseball hat.

(3) Corporal Hartlove thought that the vehicles were not in a safe position for him to stop and address the driver, so he maneuvered around the truck hoping that it would remain stationary. As Corporal Hartlove made a U-turn, the truck started to drive off. Corporal Hartlove followed. By the time Corporal Hartlove neared the truck, it was stopped on the shoulder of the road and the driver, Wilson, was in the grass along the road, approximately fifty feet away from the truck. When Corporal Hartlove approached, he detected the smell of alcohol emanating from Wilson's body. Wilson initially was cooperative but then became argumentative and uncooperative. Corporal Hartlove decided to handcuff Wilson for safety reasons. The officer's body-worn camera captured the interaction, and the video was played for the jury.

(4) Additional officers arrived, and Wilson became aggressive and belligerent. He also refused to perform any field sobriety tests. In addition to Wilson's behavior and the odor of alcohol, Corporal Hartlove observed that Wilson's speech was slurred. A registration check revealed that the license plate displayed on the truck was not registered to the vehicle, and the officers could not locate any insurance documents. Wilson also made a statement that Corporal Hartlove understood to mean that Wilson's driver's license had been revoked.<sup>1</sup> When conducting an inventory search of the truck, officers found several unopened fifty-milliliter bottles of alcohol, two plastic bags with white powder residue, and two rolled \$1 bills, which Corporal Hartlove recognized as typically being used for ingesting narcotics through the nostrils.

(5) Corporal Hartlove began an application for a warrant to obtain Wilson's blood for testing. Another officer, Officer Conrad, transported Wilson to police headquarters. En route, Wilson banged his head on the partition in the police vehicle.<sup>2</sup> When they arrived at the police station, it was determined that Wilson should be transported to Wilmington Hospital. Corporal Hartlove observed a

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<sup>1</sup> Wilson argued to the jury that the video showed that he was referring to a commercial driver's license that he used to hold. The jury found him not guilty of driving without a license.

<sup>2</sup> Officer Conrad testified that detainees who are belligerent or under the influence commonly strike the metal partition that separates the back seat from the front seat of his police vehicle. Wilson was buckled into the back seat of the police vehicle, and Officer Conrad heard a loud bang in the back, consistent with such a strike. When they arrived at the station, Wilson had a small laceration on his head that had not been there before.

phlebotomist draw Wilson's blood at 3:48 a.m. The phlebotomist handed the container containing the blood, sealed with a tamper-evident seal, to Corporal Hartlove, who transported it back to police headquarters and placed it into the temporary evidence storage area. An evidence technician then transferred the sample to the non-temporary evidence storage area, and another evidence technician later transported the sample to a secure area at Delaware State Police Troop 2 for testing. A Delaware State Police chemist analyzed the sample as having a blood alcohol concentration ("BAC") of 0.15 grams per 100 milliliters.

(6) The jury found Wilson guilty of DUI, operating an unregistered motor vehicle, and disregarding a stop sign; the jury found him not guilty of license- and insurance-related charges. After rendering its verdict, the same jury heard evidence of Wilson's prior DUI convictions and found that the DUI was a fourth offense.

(7) On September 15, 2025, Wilson pleaded guilty to the January DUI, also as a fourth offense, and the State entered a *nolle prosequi* on the other January charges. On September 19, 2025, the Superior Court sentenced Wilson, for each of the DUIs, to serve one year of imprisonment, suspended after successful completion of a Level V substance abuse treatment program for six months of Level IV supervision, followed by eighteen months of Level III TASC. The court sentenced Wilson to pay a total of \$35 in fines for the other offenses.

(8) In this *pro se* direct appeal, Wilson asserts a host of purported errors. We find no merit to his arguments and therefore affirm.

(9) Wilson contends that the Superior Court denied his right to self-representation when it revoked his *pro se* status mid-trial. Wilson was represented by a public defender before trial, and he repeatedly expressed his dissatisfaction with counsel and attempted to file motions on his own behalf. During certain pretrial proceedings, the court discussed with Wilson whether he wanted to proceed *pro se*, and Wilson indicated that he would continue with counsel “for now.”<sup>3</sup>

(10) Eventually, on September 2, 2025, a few days before trial on the September charges was scheduled to begin, Wilson indicated that he wanted to proceed *pro se*. The Superior Court conducted a colloquy with Wilson and determined that he wanted to waive his right to counsel.<sup>4</sup> Thereafter, Wilson represented himself for a pretrial conference, the final case review, the first day of trial, and the beginning of the second day of trial, with his former counsel as standby counsel. During trial, Wilson repeatedly refused to heed the court’s evidentiary and procedural rulings; made inappropriate comments in front of the jury; and disregarded the court’s admonishments about his conduct and its warnings that, if

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<sup>3</sup> Appendix to Answering Brief at B43.

<sup>4</sup> The transcript of the colloquy was not designated for preparation, and the record therefore does not include that transcript. But Wilson does not challenge the court’s decision to allow him to proceed *pro se*, nor does he contend that he did not knowingly, voluntarily, and intelligently waive his right to counsel. To the contrary, he argues that the court erred by terminating his self-representation mid-trial.

the conduct continued, he would give up his right to represent himself. In the midafternoon of the second day of trial, the court terminated Wilson's self-representation and ordered standby counsel to resume the representation. Counsel represented Wilson through the remainder of trial and at sentencing.

(11) After *de novo* review,<sup>5</sup> we conclude that the Superior Court did not err by terminating Wilson's self-representation. The Sixth Amendment to the United States Constitution and Article 1, Section 7 of the Delaware Constitution protect a defendant's right to represent himself in a criminal proceeding.<sup>6</sup> The right to self-representation is not absolute, however.<sup>7</sup> "[D]efendants undertaking their own defense" "must . . . adhere[] to" "[s]tandards required of members of the Bar," and "gross deviations from those standards constitute a waiver of the right of self-representation."<sup>8</sup> "[T]he trial judge may terminate self-representation by a defendant who deliberately engages in serious and obstructionist misconduct."<sup>9</sup> "The right of self-representation is not a license to abuse the dignity of the courtroom. Neither is it a license not to comply with relevant rules of procedural and substantive law."<sup>10</sup>

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<sup>5</sup> See *Zuppo v. State*, 807 A.2d 545, 547 (Del. 2002) ("As an issue of constitutional dimension, we review *de novo* the trial judge's denial of Zuppo's request to proceed *pro se*.").

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*; *Payne v. State*, 367 A.2d 1010, 1016-17 (Del. 1976).

<sup>8</sup> *Payne*, 367 A.2d at 1017.

<sup>9</sup> *Faretta v. California*, 422 U.S. 806, 834 n.46 (1975).

<sup>10</sup> *Id.*

(12) Wilson refused to comply with the court’s evidentiary and procedural rulings and to conduct himself appropriately in the courtroom, despite repeated, detailed warnings. His conduct caused the jury to hear things that the court had ruled inadmissible or inappropriate, including but not limited to Wilson’s outbursts, his commentary regarding the fairness of the proceedings, and his opinions about the evidence. Wilson also spoke over others such that the court reporter had difficulty capturing what was said. His conduct also caused repeated interruptions, as the Court had to pause the proceedings to address it outside the jury’s presence, by having numerous sidebars using the courtroom headphones and frequently removing the jury from the courtroom. Moreover, even after the court terminated Wilson’s self-representation, it allowed him to address the court directly on certain occasions—including arguing some motions that he wanted to raise—when the jury was not present.<sup>11</sup> Wilson’s conclusory argument that his right to self-representation was violated is without merit.<sup>12</sup>

(13) Wilson asserts that he has not received all the transcripts that he requested, but he has not identified which transcripts he requested and did not

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<sup>11</sup> *E.g.*, *State v. Torres/Wilson*, Crim. ID No. 2409011178, Transcript of Trial Sept. 10, 2025, at 141-45 (Del. Super. Ct.); *id.* Transcript of Trial Sept. 11, 2025, at 5-36, 64-73, 97-103.

<sup>12</sup> *Cf. Payne*, 367 A.2d at 1016-17 (rejecting defendants’ claim that the trial court violated their right to self-representation, observing that the record was “replete with instances of defendants’ conduct of their own defense;” one defendant “participated extensively in the trial, opening to the jury and cross-examining witnesses;” “[o]n numerous occasions defendants uttered profanities and engaged in disruptive conduct;” and two defendants “were ejected from the courtroom several times”).

receive. He also complains that he has been denied audio and video recordings of the trial proceedings, asserting that he needs them to show that the transcripts have been “blatantly bastardized.”<sup>13</sup> Transcripts are the customary means by which trial court proceedings are preserved for appellate review,<sup>14</sup> and Wilson has not provided any authority for the proposition that he is entitled to audio or video recordings of the trial. We find no basis for reversal as to these issues.

(14) Wilson argues that the Superior Court erroneously denied the jury’s request for a transcript of Corporal Hartlove’s testimony. During deliberations the jury sent a note that stated: “Can we get a copy of Officer Hartlove’s testimony from the Stenographer’s notes?” After reading the note to counsel, the court brought the jury back into the courtroom and told them they could not have a transcript of the testimony and must instead rely on their recollection of the testimony and on the

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<sup>13</sup> We note that Wilson’s filings in this Court tend to support, rather than counter, the Superior Court’s determination that Wilson did not conduct himself in a manner respecting the dignity of the court. Just by way of example, in addition to asserting that transcripts, and the Superior Court record more generally, were “bastardized,” Wilson characterizes a mental health evaluation as “hocus pocus,” accuses the “tainted court” of engaging in an “OVERZEALOUS crusade to block exonerating evidence,” states that his “filthy” counsel “refused to file ANY BASIC MOTIONS a first year law graduate would have filed,” includes sarcastic margin comments such as “wow” and “huh,” and describes various people as “Awipes.” Such approach to filings is, to put it mildly, unproductive at best. *See generally, e.g.,* DEL. SUPR. CT. R. 34 (“The Court may strike any brief, appendix, motion or other paper or document . . . which is not within the bounds of professional propriety.”). Nevertheless, we have considered Wilson’s arguments to the extent that we can discern them.

<sup>14</sup> *See generally id.* R. 9 (providing that an “appeal shall be heard on the original papers and exhibits which shall constitute the record on appeal” and that the trial court shall transmit to the Supreme Court the record, including the transcripts designated in the notice of appeal); *Bass v. State*, 720 A.2d 540, 541 (Del. 1984) (stating that it is “customary” to “report all the trial evidence . . . and to provide a transcript of the pertinent parts thereof on request when an appeal is taken”).

exhibits that had been provided to them. “The trial court has broad discretion in determining whether, and to what extent, a jury in deliberation should be permitted to rehear testimony.”<sup>15</sup> As a general matter, witness “testimony before a jury is rarely, if ever, transcribed and given to the jury during their deliberations.”<sup>16</sup> The Superior Court did not abuse its discretion by declining the jury’s request for a transcript of Corporal Hartlove’s testimony.

(15) Wilson contends that the court, prosecutor, and his former counsel “blocked” him from receiving unedited copies of the officers’ body-worn camera and motor vehicle recorder footage. At a pretrial hearing at which the court addressed Wilson’s *pro se* motions, Wilson sought to compel complete, unedited videos from the officers’ body-worn cameras and motor vehicle recorders. The prosecutor represented that the officers’ vehicles did not have recorders and that the complete, unedited body-worn camera footage had been produced in discovery. Standby counsel stated that he had previously reviewed the footage with Wilson. The court therefore denied Wilson’s requests. We find no reversible error as to these issues.

(16) Wilson asserts that his BAC result is “forged” and that the chain of custody evidence was insufficient to show where his blood sample was between

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<sup>15</sup> See *Harrigan v. State*, 1997 WL 45084, at \*2 (Del. Jan. 29, 1997).

<sup>16</sup> *Flonnory v. State*, 893 A.2d 507, 525 (Del. 2006).

when the blood was drawn and when the test was performed. More specifically, he argues that the Superior Court erroneously denied his request to call every person in the chain of custody as a witness. Before trial, Wilson moved for the appearance of the phlebotomist and the director of the Delaware State Police crime lab as witnesses, because they were part of the chain of custody of Wilson's blood sample. Wilson argued that he was entitled to demand that the prosecution require the presence of everyone in the chain of custody under 10 *Del. C.* § 4332.<sup>17</sup> The Superior Court denied the motion. Citing 21 *Del. C.* § 4177, 21 *Del. C.* § 2746, and other authority, the court held that the requested witnesses were not essential to establish the chain of custody in this DUI proceeding.<sup>18</sup>

(17) Wilson's contention that the chain of custody evidence was insufficient is without merit. His reliance on 10 *Del. C.* § 4332 ignored that Section 4331 defines "chain of custody" to mean the "seizing officer," the "packaging officer, if the packaging officer is not also the seizing officer," and the "forensic toxicologist or

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<sup>17</sup> Appendix to Answering Brief at B46. Section 4332 provides:

(a) *In general.*

(1) In a criminal proceeding, the prosecution shall, upon written demand of a defendant filed in the proceedings at least 5 days prior to the trial, require the presence of the forensic toxicologist or forensic chemist, or any person in the chain of custody as a prosecution witness.

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(b) *Witness for defense.* Nothing contained in this subchapter shall prevent the defendant from summoning a witness mentioned in this subchapter as a witness for the defense.

10 *Del. C.* § 4332.

<sup>18</sup> Appendix to Answering Brief at B46.

forensic chemist or other person who actually touched the substance and not merely the outer sealed package in which the substance was placed by the law-enforcement agency before or during the analysis of the substance.”<sup>19</sup> The DUI statute explicitly invokes for BAC evidence “the same procedures outlined” in Section 4331 for controlled-substance evidence.<sup>20</sup> It also provides that the “chain of custody or control of evidence defined in this section is established when there is evidence sufficient to eliminate any reasonable probability that such evidence has been tampered with, altered or misidentified.”<sup>21</sup>

(18) The witnesses required under the statute testified, and their testimony was sufficient to eliminate any reasonable probability that Wilson’s blood sample was tampered with, altered, or misidentified. Corporal Hartlove, the seizing and packaging officer, testified about the contents of the blood-test kit that was used and

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<sup>19</sup> 10 *Del. C.* § 4331(1); *see also Hairston v. State*, 249 A.3d 375, 383 (Del. 2021) (“The one imposition on the State, according to the plain language of Section 4332, is a mandatory obligation to produce at trial upon the defendant’s request the individuals that the legislature has defined in Section 4331 as the ‘chain of custody.’ We find no ambiguity in the requirement that the State produce three witnesses: (1) the seizing officer, (2) the packaging officer, if different than the seizing officer, and (3) the forensic toxicologist or forensic chemist.”); *Milligan v. State*, 116 A.3d 1232, 1235 (Del. 2015) (stating that “[p]rocedures for establishing chain of custody in a Driving Under the Influence (‘DUI’) case are governed by 10 *Del. C.* § 4331 and 21 *Del. C.* § 4177(h)(3)” and that Section 4331(1) defines chain of custody to include the seizing officer, the packaging officer (if different), and the forensic toxicologist or chemist or other person who actually touched the substance and not just the sealed outer package). In *Hairston*, this Court observed that Sections 4330-32 are designed to “ease[] the evidentiary burden on the proponent of controlled-substance-testing evidence.” 249 A.3d at 377-78; *id.* at 383 (“Subchapter III is designed to streamline and facilitate the reception of controlled-substance-testing evidence in a way that, under most circumstances, reduces the prosecution’s burden.”).

<sup>20</sup> 21 *Del. C.* § 4177(h)(3).

<sup>21</sup> *Id.* § 4177(h)(4).

that he completed the first portion of the label identifying the kit and the chain of custody thereof, watched the phlebotomist draw Wilson's blood, invert the tubes to mix the blood with the testing medium, and hand it back to Corporal Hartlove.<sup>22</sup> Photos of the blood kit packaging and chain of custody record were submitted into evidence, and Corporal Hartlove testified regarding the tamper-evident features of the packaging and the chain of custody as reflected on the record, from when he placed it into a temporary evidence locker until it was delivered to Troop 2 for testing.<sup>23</sup> The defense cross-examined Corporal Hartlove about these issues.<sup>24</sup> The forensic chemist who analyzed the blood testified regarding the blood testing kits generally, Wilson's kit specifically, how Wilson's kit was received and stored, and that she inspected Wilson's blood kit for tampering and observed that the tamper-evident seals were intact and did not show signs of tampering before she opened them for testing.<sup>25</sup> The defense cross-examined the chemist about those issues.<sup>26</sup> Wilson's claims about the integrity of the blood sample and its chain of custody are unavailing.

(19) Wilson asserts various challenges to the veracity of the testimony and evidence against him, characterizing much of it as "lies," "perjury," and "forgery"

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<sup>22</sup> Appendix to Answering Brief at B64-65.

<sup>23</sup> *Id.* at B65-67.

<sup>24</sup> *Id.* at B80-87.

<sup>25</sup> *Id.* at B94-97.

<sup>26</sup> *Id.* at B98; *State v. Torres/Wilson*, Crim. ID No. 2409011178, Transcript of Trial Sept. 10, 2025, at 117 (Del. Super. Ct.).

based on purported inconsistencies in the evidence. The defense had the opportunity to—and did—cross-examine the witnesses regarding their testimony and the other evidence that was admitted at trial. To the extent there were inconsistencies, it was within the jury’s purview to resolve them. Moreover, after careful review of the record, we conclude that the evidence was sufficient to find Wilson guilty of the crimes of which he was convicted.

(20) Wilson contends that his counsel was ineffective. This Court generally does not review ineffective-assistance claims on direct appeal.<sup>27</sup> To the extent Wilson asserts claims not explicitly addressed in this order, we have considered them and determined that they are insufficiently developed or preserved for appellate review, lack merit, or otherwise provide no basis for reversal.

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

BY THE COURT:

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

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<sup>27</sup> *Green v. State*, 238 A.3d 160, 175 (Del. 2020).