



IN THE SUPREME COURT OF THE STATE OF DELAWARE

ALVIN HINES,)	
)	
Defendant Below,)	
Appellant,)	
)	No. 203, 2022
v.)	
)	
STATE OF DELAWARE,)	
)	
Plaintiff Below,)	
Appellee.)	

APPELLANT’S CORRECTED OPENING BRIEF

**ON APPEAL FROM THE SUPERIOR COURT IN AND OF NEW
CASTLE COUNTY**

James O. Turner, Jr. Esquire [#5447]
Office of the Public Defender
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Attorney for Appellant

DATE: September 27, 2022

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NATURE AND STAGE OF THE PROCEEDINGS

On February 17, 2020, Alvin Hines (“Hines”) was indicted on Possession of a Weapon with a Removed, Obliterated or Altered Serial Number, Possession of a Firearm While Under the Influence (“PABPP”), and Discharging a Firearm on a Street.¹ A6.

A two-day jury trial commenced on August 12, 2021. During the trial and at the close of the State’s evidence, Hines made a motion for judgement of acquittal as to the charge of Possession of a Firearm with an Obliterated Serial Number. A 196. That motion was denied. A207. Hines was convicted by the jury of both Possession of a Firearm with an Obliterated Serial Number and Possession of a Firearm While Under the Influence. A276.

Sentencing occurred on May 13, 2022. As to Possession of a Firearm with an Obliterated Serial Number, Hines was Sentenced to 3 years at Level 5 suspended for 12 months at Level 3. A283. As to Possession of a Firearm While Under the Influence, he was Sentenced to 1 year Level 5 suspended for 1 year Level 2. A283-284. He was also Sentenced on Superior Court case number 2001014339, however, the subject of this appeal is Superior Court case number 2001012822.

¹ This charge was dismissed by the State before trial.

Hines filed a timely notice of appeal. This is his opening brief in support of that appeal.

SUMMARY OF THE ARGUMENT

1. In this case, Mr. Hines was seen with the firearm for a very short period of time. He was holding it by his side when confronted by Officers. The obliterated serial number was located on the bottom of the barrel of the gun. There was no information as to how long Mr. Hines possessed the firearm. There was an inference that Mr. Hines had just fired the gun before Officers arrived. This case had insufficient evidence that Mr. Hines knew that the serial number on the bottom of the barrel of the gun was obliterated.

STATEMENT OF FACTS

On January 21, 2020, Patrolman Akquil Williams of the Wilmington Police Department responded to a shot spotter notification at the 500 block of West 27th Street in Wilmington. A36. He did not find anything, so he walked to the 2600 block of Zebley Place. A39. He saw a male, later identified as Alvin Hines with a black firearm in his hand. A40. Patrolman Williams ordered Mr. Hines to drop the firearm, and after several commands, he did drop the firearm. A42. Hines was then taken into custody.

Mr. Hines never tried to hide the firearm. A46. The firearm was by his right side. A46. A picture of both sides of the firearm was shown to Patrolman Williams. A49, 50. Patrolman Williams could not see an obliterated serial number on either side of the firearm. A49, 50.

Patrolman Gordon was shown a picture of Joint Exhibit 3 and could not see an obliterated serial number. A100. Patrolman Gordon also could not see an obliterated serial number on Joint Exhibit 1. A107. Joint Exhibits 1 and 3 were the two sides of the gun. A170.

The serial number was located underneath the barrel on the front of the gun. A109. At the angle that Mr. Hines was seen holding the firearm, the obliterated serial number would not have been visible. A118. From a picture that showed the side with a view of the bottom of the gun, the obliteration was

immediately apparent. A121. The prosecutor showed Master Corporal Smith a photo of the area underneath the barrel and asked whether it was immediately apparent to him that something had been done to the serial number. A165, 170. His response was "No, not really. Not from that picture." Master Corporal Smith also acknowledged that it was not immediately apparent in joint exhibits 1 or 3. A170-171.

Detective Stephey looked at a picture shown by the prosecutor and testified that he could tell the serial number had been tampered with but he could not tell it had been obliterated. A187-188. He also testified that a person wouldn't necessarily look at the bottom of a gun when loading a magazine. A189. Patrolman Gordon testified that the only way to see the obliteration is to look at the gun from an angle that shows the bottom of the barrel. A115.

I. THE TRIAL COURT ERRED IN DENYING ALVIN HINES' MOTION FOR JUDGMENT OF ACQUITTAL AS THERE WAS INSUFFICIENT EVIDENCE OF THE KNOWLEDGE ELEMENT OF POSSESSION OF A FIREARM WITH AN OBLITERATED SERIAL NUMBER

Question Presented

Whether sufficient evidence exists for the charge of Possession of a Firearm with an Obliterated Serial Number where the evidence consists of a firearm held to the side and an inference that the firearm had just been fired and where the obliterated serial number was located under the barrel of the firearm. This issue was preserved by motion for judgment of acquittal at the close of the State's case at trial. A196-207.

Standard and Scope of Review

This Court reviews “the Superior Court’s denial of a motion for judgment of acquittal *de novo* to determine whether a rational trier of fact, viewing the evidence in the light most favorable to the State, could have found the essential elements, beyond a reasonable doubt.” *Howell v. State*, 268 A.3d 754, 775 (Del. 2021).

Merits of Argument

According to *11 Del. C. 1459*-Possession of a Weapon with an Obliterated Serial Number. “(a) No person shall knowingly transport, ship, possess or receive any firearm **with the knowledge** that the importer’s or manufacturer’s serial number has

been removed, obliterated or altered in a manner that has disguised or concealed the identity or origin of the firearm.” *11 Del. C. Section 1459* (emphasis added).

In *Howell v. State*, this Court reviewed the sufficiency of the evidence of a conviction for Possession of a Firearm with an Obliterated Serial Number conviction. *Howell v. State*, 268 A.3d 754, 775 (Del. 2021). The facts were that Howell’s backpack contained 9mm ammunition which was the same caliber as the firearm. *Id.* A witness testified that Howell previously offered to sell him a “dirty” weapon which the witness explained was a firearm without a serial number. *Id.* The Supreme Court upheld the Superior Court’s finding that the evidence was sufficient. *Id.*

In *State v. Newman*, the Superior Court reviewed the sufficiency of the evidence in a Possession of a Firearm with an Obliterated Serial Number case. *State v. Newman*, 2018 WL 4692446 (Del. Super. 2018). The Court looked at the fact that the gun was visible and easily accessible in Newman’s home, and the tool marks that filed off the serial number were readily apparent to anyone who handled the gun. *Id.* at * 5. Newman’s DNA was found on several places on the gun, permitting a reasonable inference that she had more than incidental contact with it. *Id.* The gun also appeared to have been placed in the air duct recently. *Id.* Additionally, the Officer in that case testified that the obliterated serial number located on the side of the gun would have been visible to anyone who handled the gun. *Id.* at 1. The Court denied the motion for judgment of acquittal. *Id.* at 5.

In Pennsylvania, Courts have held that possession plus length of time can establish that the person knew the serial number had been obliterated. In *Commonwealth v. Jones*, the Pennsylvania Superior Court held that “[B]ased on the jury’s observations of the degree of serial number’s obliteration and the length of time during which he possessed the gun, it was reasonable for the jury to infer that Appellant knew the serial number had been obliterated.” *Commonwealth v. Jones*, 172 A.3d 1139, 1145-1146 (Pa. Super. 2017). The Court went on to explain, “For the same reason, it is likewise reasonable for the jury to conclude that, in the time he possessed, used, and hid the weapon, Appellant would have felt the damage to the weapon caused by the extensive obliteration.” *Id.* In *Jones*, the gun was found in Jones’s home. *Id.* at 1142.

Later in *Commonwealth v. Hill*, the Pennsylvania Superior Court also factored in the length of time the firearm was possessed into its analysis. *Commonwealth v. Hill*, 210 A.3d 1104, 1115 (Pa. Super. 2019). The Court observed that the trial court found the case almost identical to *Jones*. *Id.* The gun was found in the hamper in Hill’s bedroom and he was in possession of the gun long enough to get it to his home and secret it away in his hamper. *Id.*

In *U.S. v. Haile*, the 11th Circuit Court of Appeals provides instruction as to how some of the U.S. Circuit Courts view the analysis of these types of cases. *U.S. v. Haile*, 685 F.3d 1211, 1220 (11th Cir. 2012). The Court states: “But generally,

[k]nowledge of defacement of the serial number may be inferred where the defendant has possessed the gun under conditions under which an ordinary man would have inspected [it] and discovered the absence of a serial number.” *Id.* (citations omitted). In *Haile*, the 11th Circuit held “we are not persuaded that the evidence at trial was sufficient even to show that Beckford possessed the gun for a period of time during which an ordinary man would have discovered the serial number was obliterated.” *Id.* at 1220. The Court also noted: “Although the government established that Beckford discussed guns in general before the arrest and that agents found the gun in the flatbed of his truck (out of his reach) after the arrest, the government put forth no evidence that Beckford actually possessed the gun for any significant length of time.” *Id.* at 1220, 1221. The Court reversed the Possession of a Firearm with an Obliterated Serial Number conviction. *Id.* at 1221.

In the instant case, there was never any evidence put forth as to how long Mr. Hines possessed the firearm. In addition, the obliterated serial number was located under the barrel of the gun. Patrolman Gordon testified that the only way to see the obliteration was to look at the gun at an angle in which you would see the bottom of the gun, but there was no evidence that Mr. Hines would have ever looked at the gun at that angle. This case is not like *Newman* where the gun was in Newman’s house and the obliteration was on the side of the gun. Nor is this case like *Howell* where Howell’s selling of a “dirty” weapon appeared to be an acknowledgment of

knowledge of the obliterated serial number. In the instant case, there is no fair inference in which it could be said that the knowledge element could be satisfied.

In the trial court's analysis as to the denial of the motion for judgment of acquittal, the Court states the following: "Mr. Hines is out on the street with a firearm in his hand that there is some evidence he may just had rational evidence it may have just discharged itself...a rational jury may say, look, it's his. He's dealing with it. He's had it. He's had it more than just for that moment that he has seen right beforehand. A rational inference certainly can be drawn that he has knowledge of its state, including the fact that the serial number has been scraped." A206.

The Court's analysis appeared to be based on speculation that Hines must have possessed the gun for a longer period of time without any evidence, other than a likely discharge of the weapon, to support that conclusion. In the cases that have been cited in which the conviction was upheld, there was some type of activity engaged in to provide foundation for the idea that the person had the gun for a length of time. In many of those cases, the gun was found in the person's home.

The instant case is more similar to the 11th Circuit case of *Haile* where there is no evidence as to the length of time that Hines possessed the gun. Additionally, it is clear from the testimony of the Officers at trial that, at best, it is quite unclear that an obliterated serial number under the barrel of a gun would be immediately apparent to a person holding a gun.

CONCLUSION

For the foregoing reasons and upon the authority cited herein, the undersigned respectfully submits that Alvin Hines' conviction for Possession of a Firearm with an Obliterated Serial Number should be reversed.

\s\ James O. Turner, Jr.
James O. Turner, Jr. Esquire

DATE: September 15, 2022

EXHIBIT A

1 (Whereupon, the jury exited the
2 courtroom at 2:40 p.m.)

3 - - -

4 THE COURT: So the state addressed
5 it, so there is some business we can take up.

6 Mr. Turner, do you have any motions?

7 MR. TURNER: Your Honor, I -- I
8 think under the circumstances of what has
9 come out in this trial, which is really a
10 question of what angle Mr. Hines would have
11 looked at this firearm and whether he would
12 have looked at the underside angle of the
13 firearm, the defense position on the
14 possession with an obliterated serial number
15 charge, Your Honor, is our request is we are
16 going to make a motion for judgment of
17 acquittal based on the lack of tangible
18 inference that the jury could take from the
19 evidence.

20 The concern is Mr. Hines being found
21 guilty just based on speculation when the
22 evidence is not really there that he ever
23 looked at the firearm from an angle that would

1 allow him to see that the serial number was
2 obliterated.

3 THE COURT: Ms. Mayer?

4 MS. MAYER: Your Honor, motion for
5 judgment of acquittal, evidence should be
6 viewed in a light most favorable to the
7 state, we have to consider whether any
8 rational juror could make the determination
9 that the defendant committed the offense as
10 charged.

11 In this case, I believe the issue of
12 Mr. Hines' knowledge is a fact at issue within
13 the province of the jury to decide.

14 Yes. There -- you know, admit there
15 is not a situation by which there is
16 surveillance showing Mr. Hines, for example,
17 loading the gun, holding the gun, waving it in
18 the air or something like that, but, however,
19 there has been testimony regarding -- from a
20 number of officers that when they looked at it
21 or looked at photographs of it here today in
22 court, they believed that it was something
23 that was immediately apparent.

1 For example, Detective Stephey
2 testified that he uses the same type of
3 firearm in his day-to-day dealings as a WPD
4 officer with this type of firearm being the
5 duty weapon carried by officers. And on
6 redirect he said, if the serial number on my
7 duty firearm -- paraphrasing here -- was
8 scratched out in this way, it's something that
9 he would notice right away.

10 I think at this point it's a genuine
11 fact issue for the jury to decide in the
12 totality of all the evidence that has been
13 presented thus far and believe that the state
14 has cleared its burden as to that count.

15 THE COURT: One, may I see the
16 firearm? Two, may I see the photographs of
17 the firearm?

18 MS. MAYER: Yes, Your Honor.

19 THE COURT: Thanks. Mr. Turner, is
20 there anything further as to your argument?

21 MR. TURNER: Just to the state's
22 point that was just made, when I consistently
23 showed officer -- officers Joint Exhibits-1,

1 2 and 3 which is a direct side angle officers
2 were not able to see anything.

3 It is the state's exhibit which kind
4 of shows more of a bottom -- a little bit more
5 of a bottom angle that the firearm that I
6 think officers were able to see something. I
7 think the last detective, Detective Stephey,
8 could not say for sure that he could see an
9 obliteration of the serial number from the
10 picture that he showed, but he could see
11 something was going on.

12 So, in all, Your Honor, our position
13 is there is not a fair inference based on the
14 information that the jury has for him to reach
15 a conclusion on that charge.

16 THE COURT: As the state pointed
17 out, the standard that the Court uses when
18 ruling on a motion for judgment of acquittal
19 is one that looks to the evidence in the
20 light most favorable to the state.

21 I think when you are ruling on a
22 judgment of acquittal the Court must apply
23 Criminal Rule 29A and the judge, the trial

1 judge, must consider the evidence and all
2 that's legally drawn from a point of view most
3 favorable to the state.

4 The Court must determine whether any
5 rational trier of fact viewing the evidence in
6 a light known favorable to the state could
7 find the defendant guilty beyond a reasonable
8 doubt of all elements of the crime.

9 The burden of proof, that inquiry the
10 Court does not distinguish between direct and
11 circumstantial evidence of one's guilt. It's
12 long been the law in the State of Delaware to
13 obtain and sustain a conviction the state is
14 not required to disprove every possible
15 innocent explanation that may be given to the
16 evidence. Even in a circumstantial evidence
17 case or even when evidence is to one necessary
18 element might be purely circumstantial.

19 It's also long been the law that the
20 jury is the sole judge of the credibility and
21 responsibility for resolving conflicts and
22 testimony.

23 In turn, the motion is to be granted

1 only when the state has presented insufficient
2 evidence to sustain a verdict of guilt or to
3 sustain a verdict or finding a particular
4 element.

5 Here the defense's argument goes to
6 the knowing requirement on the possession of a
7 weapon that they removed, obliterated or
8 altered serial number.

9 Knowingly means that the defendant
10 knew or was aware that he was in possession or
11 control of the firearm. That's what the Court
12 will instruct the jury and there is no
13 question as to that and, obviously, the
14 evidence is clear that when Officer Williams
15 came up, he credits that.

16 And what I mean is it's clear for the
17 purposes of a motion like this it's always the
18 jury's duty to find facts, but that the
19 evidence was that as Officer Williams comes
20 upon Mr. Hines, Mr. Hines has the weapon in
21 his hand down at his side. That, in fact, as
22 it was several of the witnesses noted with the
23 slide in the locked-back position that was

1 consistent rational inference being it had
2 just been fired and all ammunition exhausted
3 from it which would put a semiautomatic with
4 its slide locked back that way.

5 He had to have -- Mr. Hines, drop the
6 weapon and put it down. And that's as it was
7 then seen, for instance, in State's
8 Exhibit-16, a weapon on the ground with a
9 slide locked-back position, but even from that
10 one of the things we note is -- and I asked to
11 see the photographs and then the weapon
12 itself.

13 Officer Stephey had indicated it's
14 been altered even since it was pictured in
15 State's Exhibit-16 and he explained what that
16 was and that was the purpose of trying to
17 restore the serial number so they could make
18 identification of it so it takes away certain
19 plastic parts.

20 But the firearm in and of itself
21 generally has a black appearance. When we
22 look at the photographs, for example, the one
23 lying on the ground, you see that kind of

1 silver on the bottom of it. When you get
2 closer up photographs of that in State's
3 Exhibit-18, for instance, that silver is shown
4 with scratches throughout and obliterates the
5 number that was there, but it's very clear as
6 you look at it more from the angle or from a
7 way that one who was actually handling the
8 weapon, obviously the rational inference is
9 this didn't just automatically appear in
10 Mr. Hines' hand there on the street, that he
11 had had dealings with it before Officer
12 Williams came across him.

13 And so a rational inference was made
14 that he had knowledge of the state of the
15 weapon. And that goes to that second element
16 because as the jury was told, knowingly from
17 this also means that the defendant knew or was
18 aware that the serial number of the firearm
19 had been removed, obliterated or altered in a
20 manner that had disguised or concealed the
21 identity or origin of the weapon.

22 Certainly the rational inference, as
23 I said, it did not just all of a sudden appear

1 in Mr. Hines' hand right there, but that he
2 had some dealings with it before and as some
3 of the testimony has been perhaps loading it
4 and things like that. But that it is not that
5 he's always looking at it from the top or the
6 side or whatever, but that he has some
7 possessory interest that is much greater than
8 that and would, as people who own firearms or
9 deal with firearms, had someone studied it,
10 dealt with it, turned it, looked at it and
11 what would be readily apparent to anyone who
12 looked at the bottom of that more of the angle
13 and the probably distant that one of those
14 pictures was taken, particularly in State's
15 Exhibit-18, that that number plate had been
16 gouged at the side, had been scraped and
17 scratched to the point that it took off the
18 numbers.

19 Obviously, rational inference is if
20 he has that firearm, that he knows something
21 about it as one who deals with firearms if you
22 were in possession or owning them might do.

23 The jury will lastly be told both in

1 the state of mind instruction itself, but also
2 in that instruction that they are permitted to
3 draw a reasonable inference, in other words,
4 reach a conclusion about the defendant's state
5 of mind including knowledge from the facts and
6 circumstances surrounding the act the
7 defendant is alleged to do.

8 They may consider whether a
9 reasonable person, in this case, if a
10 reasonable person that's dealing with a
11 firearm, acting in their circumstances would
12 have or would have lacked the requisite
13 knowledge in this case about the obliterated
14 serial number itself.

15 So they are permitted the knowledge
16 that's required here of that obliteration. It
17 is -- may be inferred from the surrounding
18 circumstances.

19 I find given all of the testimony,
20 the evidence and the rational inferences that
21 may be drawn it's always hard to tell the
22 jury -- it's hard to know what is going on in
23 one's mind and that, in fact, you have to look

1 at all the other circumstances that are there.

2 Certainly, as I said, Mr. Hines is
3 out on the street with a firearm in his hand
4 that there is some evidence he may have just
5 had rational evidence that it may have just
6 discharged itself. The mere fact that he had
7 it in his possession in that way is enough
8 that a rational jury may say, look, it's his.
9 He's dealing with it. He's had it. He's had
10 it more than just for that moment that he has
11 seen right beforehand.

12 A rational inference certainly can be
13 drawn that he has knowledge of its state,
14 including the fact that the serial number has
15 been scraped.

16 So for the purposes of the motion for
17 judgment of acquittal, the Court cannot say
18 there is insufficient evidence to sustain a
19 finding beyond a reasonable doubt that he had
20 such knowledge. It will be up to the jury to
21 make whatever inferences that it does from the
22 evidence, either direct or circumstantial, and
23 the credibility of the witnesses in resolving

1 that particular issue.

2 But for purposes of Rule 29A, the
3 Court finds that considering all the evidence
4 the legitimately drawn inferences from the
5 point of view most favorable to the state,
6 that that charge must go forward.

7 So that takes care of the motion for
8 judgment of acquittal.

9 Tell me, Mr. Turner, where we are as
10 far as any defense evidence in the case.

11 MR. TURNER: Thank you, Your Honor.
12 I am ~~not~~ sure. I'm not sure Mr. Hines has
13 had enough time to consider the issue of
14 whether he would testify or not. I would at
15 least ask for a few minutes to discuss that
16 with him.

17 THE COURT: Okay. Sure. Why don't
18 we do this? It is 2:56. Let's come back at
19 3:15 and then if, in fact -- we will have
20 colloquy one way or the other. Obviously,
21 he's not going to testify today, but we can
22 at least have the colloquy and take care of
23 that and then we will break for the day and

EXHIBIT B

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE

VS.

ALVIN T HINES

Alias: See attached list of alias names.

DOB: 09/17/1985

SBI: 00431740

CASE NUMBER:

N2001012822

N2001014339

IN AND FOR NEW CASTLE COUNTY

CRIMINAL ACTION NUMBER:

IN20-01-1288

POS WEAP NO SER(F)

IN20-01-1289

INTOX W/FIREARM(M)

IN20-03-0006

RESIST ARREST(F)

IN20-03-0007

OFF TOUCHING LE(M)

IN20-03-0008

DISORD CONDUCT(M)

RELEASE

SEE NOTES FOR FURTHER COURT ORDER-TERMS/CONDITIONS

ALL SENTENCES OF CONFINEMENT SHALL RUN CONSECUTIVE

SENTENCE ORDER

NOW THIS 13TH DAY OF MAY, 2022, IT IS THE ORDER OF THE COURT THAT:

The defendant is adjudged guilty of the offense(s) charged. The defendant is to pay the costs of prosecution and all statutory surcharges.

AS TO IN20-01-1288- : TIS
POS WEAP NO SER

Effective May 13, 2022 the defendant is sentenced as follows:

- The defendant is placed in the custody of the Department of Correction for 3 year(s) at supervision level 5 with credit for 1 day(s) previously served

- Suspended for 12 month(s) at supervision level 2 TASC

AS TO IN20-01-1289- : TIS
INTOX W/FIREARM

- The defendant is placed in the custody of the Department
APPROVED ORDER 1 September 16, 2022 8:44

STATE OF DELAWARE
VS.
ALVIN T HINES
DOB: 09/17/1985
SBI: 00431740

of Correction for 1 year(s) at supervision level 5

- Suspended for 1 year(s) at supervision level 2 TASC

Probation is concurrent to criminal action number
IN20-01-1288 .

AS TO IN20-03-0006- : TIS
RESIST ARREST

- The defendant is placed in the custody of the Department
of Correction for 2 year(s) at supervision level 5

- Suspended for 12 month(s) at supervision level 2 TASC

Probation is concurrent to criminal action number
IN20-01-1289 .

AS TO IN20-03-0007- : TIS
OFF TOUCHING LE

- The defendant is placed in the custody of the Department
of Correction for 1 year(s) at supervision level 5

- Suspended for 12 month(s) at supervision level 2

AS TO IN20-03-0008- : TIS
DISORD CONDUCT

- The defendant is placed in the custody of the Department
of Correction for 30 day(s) at supervision level 5

- Suspended for 30 day(s) at supervision level 2

Probation is concurrent to criminal action number
IN20-03-0007 .

APPROVED ORDER

2

September 16, 2022 8:44

SPECIAL CONDITIONS BY ORDER

STATE OF DELAWARE
VS.
ALVEN HINES
DOB: 09/17/1985
SBI: 00431740

CASE NUMBER:
2001012822
2001014339

The defendant shall pay any monetary assessments ordered during the period of probation pursuant to a schedule of payments which the probation officer will establish.

Defendant shall receive mental health evaluation and comply with all recommendations for counseling and treatment deemed appropriate.

Pursuant to 29 Del.C. 4713(b)(2), the defendant having been convicted of a Title 11 felony, it is a condition of the defendant's probation that the defendant shall provide a DNA sample at the time of the first meeting with the defendant's probation officer. See statute.

Defendant shall be evaluated for substance abuse and follow recommendation for treatment, counseling and screening.

Perform 50 hour(s) of community service during the probationary period.

For the purposes of ensuring the payment of costs, fines, restitution and the enforcement of any orders imposed, the Court shall retain jurisdiction over the convicted person until any fine or restitution imposed shall have been paid in full. This includes the entry of a civil judgment pursuant to 11 Del.C. 4101 without further hearing.

NOTES

The Delaware Treatment Access Center (TASC) shall evaluate and monitor the defendant for substance abuse and mental health treatment needs while on community supervision. The Court will retain jurisdiction over this sentence for the express purpose of modification consistent with any treatment recommendation made by TASC or the Department of Correction to ensure success on community supervision, but for no other purpose.

Mitigating Circumstances:

- Defendant's treatment needs supersede the need for correctional treatment.
- No prior felony convictions

APPROVED ORDER 3 September 16, 2022 8:44

STATE OF DELAWARE
VS.
ALVIN T HINES
DOB: 09/17/1985
SBI: 00431740

JUDGE PAUL R WALLACE

APPROVED ORDER

4

September 16, 2022 8:44

FINANCIAL SUMMARY

STATE OF DELAWARE
VS.
ALVEN HINES
DOB: 09/17/1985
SBI: 00431740

CASE NUMBER:
2001012822
2001014339

SENTENCE CONTINUED:

TOTAL DRUG DIVERSION FEE ORDERED	
TOTAL CIVIL PENALTY ORDERED	
TOTAL DRUG REHAB. TREAT. ED. ORDERED	
TOTAL EXTRADITION ORDERED	
TOTAL FINE AMOUNT ORDERED	
FORENSIC FINE ORDERED	
RESTITUTION ORDERED	
SHERIFF, NCCO ORDERED	
SHERIFF, KENT ORDERED	
SHERIFF, SUSSEX ORDERED	
PUBLIC DEF, FEE ORDERED	200.00
PROSECUTION FEE ORDERED	200.00
VICTIM'S COM ORDERED	
VIDEOPHONE FEE ORDERED	5.00
DELJIS FEE ORDERED	5.00
SECURITY FEE ORDERED	50.00
TRANSPORTATION SURCHARGE ORDERED	
FUND TO COMBAT VIOLENT CRIMES FEE	75.00
SENIOR TRUST FUND FEE	
AMBULANCE FUND FEE	
<hr/>	
TOTAL	535.00

APPROVED ORDER 5 September 16, 2022 8:44

LIST OF ALIAS NAMES

STATE OF DELAWARE

VS.

ALVEN HINES

DOB: 09/17/1985

SBI: 00431740

CASE NUMBER:

2001012822

2001014339

ALVIN HINES

ALVIN T HINES

ALVEN T HINES

APPROVED ORDER

6

September 16, 2022 8:44