

IN THE SUPREME COURT OF THE STATE OF DELAWARE

HILLARD M. WINN,	§
	§
Defendant Below-	§ No. 34, 2007
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 0607008082
Plaintiff Below-	§
Appellee.	§

Submitted: February 22, 2008
Decided: May 6, 2008

Before **HOLLAND, JACOBS**, and **RIDGELY**, Justices.

ORDER

This 6th day of May 2008, the Court has considered the parties' briefs and the record on appeal. The State concedes that appellant's guilty plea to the charge of criminal solicitation third degree must be vacated because the information was fatally defective for not alleging territorial jurisdiction.*

NOW, THEREFORE, IT IS ORDERED that this matter is hereby REMANDED to the Superior Court with instructions to vacate appellant's guilty plea. Jurisdiction is not retained.

BY THE COURT:

/s/ Jack B. Jacobs
Justice

* See *Downer v. State*, 543 A.2d 309, 311 (Del. 1988) (holding that a guilty plea does not waive claims of jurisdictional defects).