

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JAMIL EDWARDS,	§
	§ No. 118, 2008
Defendant Below-	§
Appellant,	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID No. 0402010188
	§
Plaintiff Below-	§
Appellee.	§

Submitted: August 8, 2008
Decided: September 23, 2008

Before **STEELE**, Chief Justice, **JACOBS** and **RIDGELY**, Justices.

ORDER

This 23rd day of September 2008, upon consideration of the briefs on appeal and the record below, it appears to the Court that:

(1) The defendant-appellant, Jamil Edwards, filed an appeal from the Superior Court's February 8, 2008 order denying his motion for sentence reduction pursuant to Superior Court Criminal Rule 35(b). We find no merit to the appeal. Accordingly, we affirm.

(2) In March 2006, Edwards was found guilty by a Superior Court jury of Murder in the First Degree and Possession of a Firearm During the Commission of a Felony. He was sentenced to life in prison plus three additional years at Level V.

Edwards' convictions were reversed by this Court on direct appeal.¹ Subsequently, Edwards pleaded guilty to Manslaughter and Possession of a Firearm During the Commission of a Felony. On the manslaughter conviction, he was sentenced to 20 years at Level V, to be suspended after 18 years for decreasing levels of supervision. On the weapon conviction, he was sentenced to a mandatory 3 years at Level V. Edwards did not file a direct appeal. Edwards filed a motion for reduction of sentence which the Superior Court denied.

(3) In this appeal, Edwards claims that the Superior Court erred and based his sentence for manslaughter on false or misleading information contained in the presentence report. He contends that the Superior Court improperly relied upon erroneous information in the presentence report that he snatched purses and sold drugs when he was ten years old. In fact, he argues, at age ten he merely “hung out” with friends who snatched purses and sold drugs.

(4) This Court's review of a sentence generally ends with a determination that the sentence falls within the statutory limits set by the legislature.² In this case, Edwards does not dispute that his sentence for manslaughter was within the statutorily-authorized range.³ The gist of his claim is that he was not given an opportunity to correct the Superior Court's erroneous impression that he personally had engaged in purse snatching and drug selling at the age of ten.

¹ *Edwards v. State*, 925 A.2d 1281 (Del. 2007).

² *Mayer v. State*, 604 A.2d 839, 842-43 (Del. 1992).

³ Del. Code Ann. tit. 11, § 632; § 4205(b) (2).

(5) A review of the sentencing transcript belies Edwards' claim. After the Superior Court judge reviewed Edwards' criminal history, sentence was imposed. The transcript reflects that, following the imposition of sentence, Edwards' counsel conferred with him. At that point, Edwards had the opportunity to correct any erroneous impression on the part of the Superior Court judge, but, as the transcript reflects, he did not do so.

(6) The sentencing transcript further reflects that the Superior Court did not rely solely on Edwards' activities at age ten in imposing sentence. As the judge stated, "You had chances all along. You've been in jail back and forth. You've been selling drugs. You've lived a life that is ridden with crime." Thus, even assuming that Edwards had advised the Superior Court that its belief that he had snatched purses and sold drugs at age ten was erroneous, there is no evidence that the Superior Court would have changed its sentencing order in any way. In fact, the Superior Court said in denying Edwards' motion that "[n]o additional information has been provided to the Court which would warrant a reduction or modification of this sentence." In light of all of these circumstances, we conclude that Edwards' claim is without merit.

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

BY THE COURT:

/s/ Henry duPont Ridgely
Justice