

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MAURICE COOPER,	§
	§ No. 286, 2013
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. 1002013686
	§
Plaintiff Below-	§
Appellee.	§

Submitted: July 9, 2013  
Decided: July 11, 2013

Before **STEELE**, Chief Justice, **HOLLAND** and **JACOBS**, Justices

**ORDER**

This 11th day of July 2013, it appears to the Court that:

(1) On May 30, 2013, the Court received the appellant's notice of appeal from the May 14, 2013 report and recommendation of the Superior Court Commissioner. On the same date, the Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing the appellant to show cause why the appeal should not be dismissed for this Court's lack of jurisdiction to entertain an appeal directly from a report and recommendation of a Superior Court Commissioner.

(2) On July 9, 2013, the appellant responded to the notice to show cause.<sup>1</sup> In the response, the appellant states that the Commissioner incorrectly failed to base his decision on established case law regarding insufficiency of the evidence.

(3) This Court does not have jurisdiction to entertain an appeal directly from the report and recommendation of a Superior Court Commissioner.<sup>2</sup> Therefore, this appeal must be dismissed.

NOW, THEREFORE, IT IS ORDERED that this appeal is DISMISSED.

BY THE COURT:

/s/ Randy J. Holland  
Justice

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<sup>1</sup> On June 27, 2013, the appellant requested an extension of time in which to respond to the notice to show cause. On that same date, the Clerk granted the appellant an extension until July 8, 2013.

<sup>2</sup> Del. Const. art. IV, §11(1) (b); Super. Ct. Crim. R. 62.