

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JEFFERY J. HOWELL,

Defendant Below-
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below-
Appellee.

'
'
' No. 454, 2000
'
' Court Below Court of Common
' Pleas of the State of Delaware,
' in and for Sussex County
' Cr.A. Nos. 99-12-1319
' 99-12-1329
'
'

Submitted: September 18, 2000

Decided: October 10, 2000

Before **HOLLAND, BERGER** and **STEELE**, Justices

O R D E R

This 10th day of October 2000, it appears to the Court that:

(1) On September 18, 2000, defendant-appellant, Jeffery J. Howell, filed this appeal from a July 19, 2000 order of the Court of Common Pleas finding him guilty of a probation violation.

(2) A criminal defendant convicted and sentenced in the Court of Common Pleas may appeal his conviction to the Superior Court.¹ This Court has jurisdiction to review the Superior Court's appellate decision.² This Court,

¹11 Del. C. § 5301; Com. P. Ct. Crim. R. 37.

²*Rogers v. State*, Del. Supr., 457 A.2d 727, 730-31 (1983).

however, may not receive an appeal directly from the Court of Common Pleas.³

(3) Howell's appeal manifestly fails to invoke the jurisdiction of this Court.⁴ Moreover, this Court concludes, in the exercise of its discretion, that the giving of notice would serve no meaningful purpose and that any response would be of no avail.⁵

NOW, THEREFORE, IT IS ORDERED that, pursuant to Supreme Court Rule 29(c), the appeal is DISMISSED, sua sponte.

BY THE COURT:

/s/ Carolyn Berger
Justice

³Del. Const. art. IV, ' 11(1) (b).

⁴Supr. Ct. R. 29(c).

⁵Id. We note that, even if Howell's appeal had been filed properly in this Court, it was not filed within the 30-day time limit. Supr. Ct. R. 6.