

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LLOYD ANDERSON, Defendant Below, Appellant, v. STATE OF DELAWARE, Plaintiff Below, Appellee.	No. 394, 2000 Court Below: Superior Court in the State of Delaware in and for New Castle County ID No. 9612001997
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Submitted: August 28, 2000
Decided: September 5, 2000

Before **VEASEY**, Chief Justice, **WALSH** and **HOLLAND**, Justices.

O R D E R

This 5th day of September 2000, it appears to the Court that:

1. On August 14, 2000, the appellant, appearing *pro se*, filed a notice of appeal from an interlocutory order of the Superior Court dated August 7, 2000, which denied his Motion for Transcript of Record. On August 16, 2000, the Clerk issued a notice, pursuant to Supreme Court 29(b), directing the appellant to show cause why this appeal should not be dismissed based on this Court's lack of jurisdiction to entertain a criminal interlocutory appeal.
2. On August 28, 2000, the appellant filed a response to the

notice to show cause. In his response, the appellant requests this Court to invoke its jurisdiction and grant his request for transcript to file future postconviction relief motions.

3. Under the Delaware Constitution, only a final judgment may be reviewed by this Court in a criminal case. It is beyond dispute that this Court lacks jurisdiction over an interlocutory appeal in a criminal case. Del Const., art. IV, ' 11(1)(b); *State v. Cooley*, Del. Supr., 430 A.2d 789, (1981). The order of the Superior Court denying the appellant's motion for transcript of record is an interlocutory order and not a final criminal judgment. *Briggs v. State*, Del. Supr., No. 453, 1993, Moore, J. (Feb. 4, 1994) (ORDER). Therefore, the appellant's notice of appeal fails to invoke the jurisdiction of this Court. *Id.*

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that this appeal be, and the same hereby is, DISMISSED.

BY THE COURT:

/s/ Randy J. Holland
Justice