

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN RE THE PETITION OF §  
KEAVNEY L. WATSON FOR A § No. 510, 2005  
WRIT OF MANDAMUS §  
§

Submitted: November 4, 2005  
Decided: December 29, 2005

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

**ORDER**

This 29<sup>th</sup> day of December 2005, it appears to the Court that:

(1) The petitioner, Keavney L. Watson, seeks to invoke this Court's original jurisdiction to issue an extraordinary writ of mandamus<sup>1</sup> to compel the Superior Court to act on his complaint of ineffective assistance of counsel. The State of Delaware has filed an answer requesting that Watson's petition be dismissed. We find that Watson's petition manifestly fails to invoke the original jurisdiction of this Court. Accordingly, the petition must be dismissed.

(2) In August 2004, Watson was charged with felony theft, violation of bond conditions and two motor vehicle offenses. In October 2005, Watson wrote a letter to the Superior Court complaining about the performance of his appointed counsel. The letter was forwarded to

---

<sup>1</sup> Del. Const. art. IV, § 11(6); Supr. Ct. R. 43.

Watson's counsel. On November 23, 2005, Watson had a final case review at which he pleaded guilty and was sentenced.

(3) A writ of mandamus is an extraordinary remedy issued by this Court to compel a trial court to perform a duty.<sup>2</sup> As a condition precedent to the issuance of the writ, Watson must demonstrate that he has a clear right to the performance of the duty, no other adequate remedy is available, and the trial court has arbitrarily failed or refused to perform its duty.<sup>3</sup>

(4) There is no basis for the issuance of a writ of mandamus in this case. The Superior Court docket reflects that Watson pleaded guilty to the charges against him and was sentenced on November 23, 2005. His request that the Superior Court act on his complaint concerning his appointed counsel is moot.

NOW, THEREFORE, IT IS ORDERED that Watson's petition for a writ of mandamus is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice

---

<sup>2</sup> *In re Bordley*, 545 A.2d 619, 620 (Del. 1988).

<sup>3</sup> *Id.*