

COURT OF CHANCERY  
OF THE  
STATE OF DELAWARE

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February 25, 2015

*Via File&ServeXpress  
and First Class Mail*

Mr. Salih Hall  
464 Bethune Drive  
Dunleith  
Wilmington, DE 19801

Mr. Salih Hall  
c/o Plummer Work Release Center  
38 Todds Lane  
Wilmington, DE 19809

Mr. Kevin Howard  
James T. Vaughn Correctional Center  
1181 Paddock Road  
Smyrna, DE 19977

Stuart B. Drowos, Esquire  
Roopa Sabesan, Esquire  
Department of Justice  
820 N. French Street, 6th Floor  
Wilmington, DE 19801

Re: *Hall v. Coupe*  
C.A. No. 10307-VCN  
Date Submitted: February 16, 2015

Dear Mr. Hall, Mr. Howard, and Counsel:

A motion for a default judgment has been filed in the above-referenced matter. Although the time allotted for filing an answer has expired, counsel have entered their appearances on behalf of the State Defendants. As a general matter, litigation on the merits instead of entry of a default judgment is the preferred

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method for resolving a case. In this instance, there is a more fundamental problem. By 10 *Del. C.* § 3103(c), service upon the Defendants, who have been sued in their capacity as employees of the State, must be made upon the Attorney General, the Chief Deputy Attorney General, or the State Solicitor. No effort was made to satisfy this requirement. Because the statute was not complied with, service of process has not been completed, and a default judgment may not be entered.

Accordingly, the Motion for Default Judgment is denied.

**IT IS SO ORDERED.**

Very truly yours,

*/s/ John W. Noble*

JWN/cap  
cc: Register in Chancery-K