

SUPERIOR COURT
OF THE
STATE OF DELAWARE

FRED S. SILVERMAN
JUDGE

NEW CASTLE COUNTY COURTHOUSE
500 North King Street, Suite 10400
Wilmington, DE 19801-3733
Telephone (302) 255-0669

September 6, 2011

INMATE MAIL

Gregory D. Jones
SBI# 215
H.R.Y.C.I.
P.O. Box 9561
Wilmington, DE 19802
N440

Re: *State v. Gregory D. Jones*
ID # 1009019694

Dear Mr. Jones:

The court has your motion for postconviction relief, filed on August 30, 2011. You pleaded guilty on May 4, 2011. Because the judge who took your plea is unavailable to give it preliminary consideration, the prothonotary has sent your paperwork to me.¹

Now, you claim that you received ineffective assistance of counsel. If you think there is good cause to withdraw your guilty plea, you must file a motion to that effect, without delay. You are scheduled for sentencing on September 9, 2011.

Otherwise, by pleading guilty you waived all defects in the proceeding

¹ Super Ct. Crim. R. 61(d). "If the appropriate judge is unavailable to consider the motion, it shall be presented to another judge."

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up to that point, including complaints you have about your lawyer.² Remember, the Truth-In-Sentencing guilty plea form that you signed includes your assurance to the court that you were satisfied with your lawyer's representation.

For the foregoing reasons, your motion for postconviction relief is **DISMISSED** without prejudice to your filing a motion to withdraw your guilty plea, or your re-filing the current motion after you are sentenced and if you take a direct appeal from that sentencing.

IT IS SO ORDERED.

Very truly yours,

Criminal Administrative Judge

FSS/mes
oc: Prothonotary (Criminal)
cc: Andrew J. Vella, Deputy Attorney General
John S. Edinger, Jr., Esquire
Investigative Services

² See *Johnson v. State*, 962 A.2d 917 (Del. 2008) (TABLE). "The Court has long held that a voluntary guilty plea constitutes a waiver of any alleged errors or defects occurring prior to the entry of the plea."