

1. By Order dated September 16, 2008, the Court discharged defendant Charles Raymond McCaughey from probation in Delaware; deemed all outstanding warrants withdrawn; declared all financial obligations uncollectible; and dismissed defendant's application titled "Writ of Error Coram Nobis" as moot.

2. The Court erred in entering the Order. Upon review of the record of this twenty-three year old case, it had appeared to the Court that defendant was on probation. In fact, defendant is on parole. All applications to modify parole must be presented to the State of Delaware Board of Parole, and are not properly before this Court in the first instance.

THEREFORE, the Court's Order dated September 16, 2008 is hereby **VACATED**. Defendant remains on parole, subject to the jurisdiction and discretion of the Board of Parole. Defendant's application titled "Writ of Error Coram Nobis" is hereby **DENIED** as not setting forth a request for relief that can be granted by this Court at this time.

IT IS SO ORDERED.

The Honorable Mary M. Johnston