

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE)	
)	C. A. No. K11M-10-010
v.)	In and for Kent County
)	
DENISE KRYKEWYCZ,)	
)	
Defendant.)	

ORDER

SUMMARY

Defendant Denise Krykewycz (“Defendant”) moves for relief from conditions of her parole supervision and tier level status as a sex offender following her conviction and sentencing on sexual assault and other related charges in New Jersey. Because the New Jersey Parole Board retains jurisdiction over the terms of Defendant’s release, this Court has no ability to act on her claims.

FACTS AND PROCEDURES

Defendant was convicted by a New Jersey court of sexual assault and other charges in May 2000. She was sentenced to 36 years and community supervision for life. She served five years and was released in August 2005. Thereafter, Defendant resided in New Jersey until September 2011, when she moved to Dover, Delaware and registered as a sex offender with the state. Under the Interstate Compact for the Supervision of Adult Offenders, 11 *Del. C.* §§ 4358-4359A (“ICSAO”), New Jersey parole officials granted Defendant’s transfer request. Delaware Department of Correction took responsibility for Defendant’s parole supervision, but the New Jersey Parole Board retains jurisdiction over the terms of Defendant’s parole.

From March to October 2012, Defendant moved for relief from registration in

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the tier system for sex offenders, moved to modify the conditions of her New Jersey parole, filed an emergency motion to stay a polygraph test required under the terms of her parole, and filed an emergency motion to enforce this Court's order staying the polygraph test pending Defendant's appeal to the Delaware Supreme Court. The Supreme Court affirmed the Superior Court's conclusion that Delaware courts lack jurisdiction over the terms of Defendant's parole under the ICSAO.¹

On March 31, 2015, Defendant submitted a letter to the Court asserting various complaints regarding her treatment in the state of Delaware. On May 21, 2015, this Court issued an order citing no ability to act on Defendant's letter without a recognized basis to her claims.

On April 29, 2016, Defendant filed an "emergency motion" for contempt, to compel, and "to stand before Judge Young." Defendant repeated old and added new complaints about her tier registration requirements and Level 3 parole supervision. On May 20, 2016, the State filed its response, arguing that Defendant's claims lacked merit and reiterating that the New Jersey Parole Board retained jurisdiction over the terms of Defendant's parole. On May 31, 2016, Defendant responded to the State's response, restating her complaints and requesting oral argument.

Defendant's claims in the instant motion have been asserted previously in her March 2015 letter to the Court. Then, as now, this Court has no ability to act, given the New Jersey Parole Board's retention of jurisdiction under the ICSCAO.

¹ *Krykewycz v. State*, 2013 WL 2297074, at *1 (Del. May 23, 2013).

