

**SUPERIOR COURT
OF THE
STATE OF DELAWARE**

VIVIAN L. MEDINILLA
JUDGE

LEONARD L. WILLIAMS JUSTICE CENTER
500 NORTH KING STREET, SUITE 10400
WILMINGTON, DE 19801-3733
TELEPHONE (302) 255-0626

September 16, 2021

Michael W. Modica, Esq.
715 North King Street
Suite 300
Wilmington, DE 19801

Zachary Rosen, Esq.
820 North French Street
7th Floor
Wilmington, DE 19801

Re: *State of Delaware v. Anthony L. Kelson*
Case ID Nos.: 1112005071, 1301013163 and 1408011166

Counsel:

This Court has reviewed Defendant's Motion for Modification dated August 12, 2021¹ and the State's response dated September 15, 2021². Mr. Kelson was sentenced in December of 2015 to four years of Level V with transitioning levels of probation to include six months at Level IV DOC Discretion³. On the same day, he was sentenced on his VOPs to cases that stem back to 2012 and 2013 wherein he received one year of Level IV Work Release.⁴ The aggregate total of 18 months was imposed in 2015.

In light of the progress that Mr. Kelson has made over the last six years, his Motion is **GRANTED** to reflect that the Level IV Work Release sentence is modified to Home Confinement, as unopposed. His VOP Level IV is also reduced from 1 year to 6 months with holds at Level III until space is available at Level IV

¹ Defendant's Motion for Modification of Sentence, Crim. ID. No. 1112005071, D.I. 22; Crim. ID. No. 1301013163, D.I. 24; Crim. ID. No. 1408011166, D.I. 34.

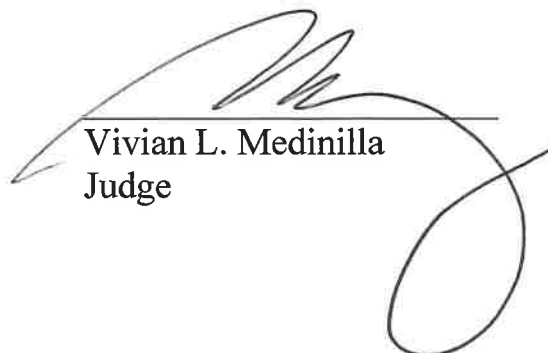
² State's Response, Crim. ID. No. 1112005071, D.I. ____; Crim. ID. No. 1301013163, D.I. __; Crim. ID. No. 1408011166, D.I. ____.

³ Sentence: ASOP Order Signed and Filed, Crim. ID. No. 1408011166, D.I. 13.

⁴ Violation of Probation Hearing, Crim. ID. No. 1112005071, D.I. 15; Crim. ID. No. 1301013163, D.I. 18.

Home Confinement. The sentence orders are enclosed for your ease of reference.

Sincerely,



Vivian L. Medinilla
Judge

Enclosure

oc: Prothonotary
cc: Investigative Services Office

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE

VS.

ANTHONY L KELSON

Alias: See attached list of alias names.

DOB: 10/20/1988

SBI: 00571812

CASE NUMBER:

N1408011166

IN AND FOR NEW CASTLE COUNTY

CRIMINAL ACTION NUMBER:

IN14-08-1371R1

DDEAL TIER 4(F)

COMMITMENT

Nolle Prosequi on all remaining charges in this case
ALL SENTENCES OF CONFINEMENT SHALL RUN CONSECUTIVE

MODIFIED SENTENCE ORDER

NOW THIS 15TH DAY OF SEPTEMBER, 2021, IT IS THE ORDER OF
THE COURT THAT: THE ORDER DATED December 11, 2015 IS
HEREBY MODIFIED AS FOLLOWS:

The defendant is adjudged guilty of the offense(s) charged.
The defendant is to pay the costs of prosecution and all
statutory surcharges.

AS TO IN14-08-1371-R1 : TIS
DDEAL TIER 4

Effective August 14, 2014 the defendant is sentenced
as follows:

- The defendant is placed in the custody of the Department
of Correction for 25 year(s) at supervision level 5
- Suspended after 4 year(s) at supervision level 5
- For 2 year(s) supervision level 4 HOME CONFINEMENT
- Suspended after 6 month(s) at supervision level 4
HOME CONFINEMENT
- For 18 month(s) supervision level 3
- Hold at supervision level 3
- Until space is available at supervision level 3 HOME

APPROVED ORDER 1 September 15, 2021 15:57

STATE OF DELAWARE
VS.
ANTHONY L KELSON
DOB: 10/20/1988
SBI: 00571812

CONFINEMENT

SPECIAL CONDITIONS BY ORDER

STATE OF DELAWARE

VS.

ANTHONY L KELSON

DOB: 10/20/1988

SBI: 00571812

CASE NUMBER:

1408011166

Have no contact with Allan Stevens

Have no contact with Dawn Smith

Have no contact with 245 Smalleys Dam Rd.

Pursuant to 29 Del.C. 4713(b)(2), the defendant having been convicted of a Title 11 felony, it is a condition of the defendant's probation that the defendant shall provide a DNA sample at the time of the first meeting with the defendant's probation officer. See statute.

The defendant shall pay any monetary assessments ordered during the period of probation pursuant to a schedule of payments which the probation officer will establish.

Defendant shall be evaluated for substance abuse and follow recommendation for treatment, counseling and screening.

Forfeit ammunition seized.

Forfeit USC seized.

For the purposes of ensuring the payment of costs, fines, restitution and the enforcement of any orders imposed, the Court shall retain jurisdiction over the convicted person until any fine or restitution imposed shall have been paid in full. This includes the entry of a civil judgment pursuant to 11 Del.C. 4101 without further hearing.

NOTES

=====MODIFIED ORDER=====

and now to wit, this 15th day of September 2021, this Order has been modified to reflect the change in the defendant's level 4 probation from DOC Discretion to Home Confinement with a hold at level 3.

APPROVED ORDER

3

September 15, 2021 15:57

STATE OF DELAWARE
VS.
ANTHONY L KELSON
DOB: 10/20/1988
SBI: 00571812



JUDGE VIVIAN L MEDINILLA

FINANCIAL SUMMARY

STATE OF DELAWARE
VS.
ANTHONY L KELSON
DOB: 10/20/1988
SBI: 00571812

CASE NUMBER:
1408011166

SENTENCE CONTINUED:

TOTAL DRUG DIVERSION FEE ORDERED	
TOTAL CIVIL PENALTY ORDERED	
TOTAL DRUG REHAB. TREAT. ED. ORDERED	
TOTAL EXTRADITION ORDERED	
TOTAL FINE AMOUNT ORDERED	
FORENSIC FINE ORDERED	
RESTITUTION ORDERED	
SHERIFF, NCCO ORDERED	180.00
SHERIFF, KENT ORDERED	
SHERIFF, SUSSEX ORDERED	
PUBLIC DEF, FEE ORDERED	
PROSECUTION FEE ORDERED	100.00
VICTIM'S COM ORDERED	
VIDEOPHONE FEE ORDERED	1.00
DELJIS FEE ORDERED	1.00
SECURITY FEE ORDERED	10.00
TRANSPORTATION SURCHARGE ORDERED	
FUND TO COMBAT VIOLENT CRIMES FEE	15.00
SENIOR TRUST FUND FEE	
AMBULANCE FUND FEE	
<hr/>	
TOTAL	307.00

LIST OF ALIAS NAMES

STATE OF DELAWARE

VS.

ANTHONY L KELSON

DOB: 10/20/1988

SBI: 00571812

CASE NUMBER:

1408011166

ANTHONY KELSON

ANTHONY L KELSON JR

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE

VS.

ANTHONY L KELSON

Alias: No Aliases

DOB: 10/20/1988

SBI: 00571812

CASE NUMBER:

N1112005071

N1301013163

IN AND FOR NEW CASTLE COUNTY

CRIMINAL ACTION NUMBER:

VN12-01-0173-02

VIOL O/PROBATN

ORIG. CHARGE:

DDEAL TIER 2 (F)

VN13-02-0126-01

VIOL O/PROBATN

ORIG. CHARGE:

POSS C/SUB+AF (M)

VN13-02-1365-01

VIOL O/PROBATN

ORIG. CHARGE:

DUI LIQ - DRUGS (M)

COMMITMENT

ALL SENTENCES OF CONFINEMENT SHALL RUN CONSECUTIVE

MODIFIED VIOLATION OF PROBATION SENTENCE ORDER

NOW THIS 15TH DAY OF SEPTEMBER, 2021, IT IS THE ORDER OF THE COURT THAT: the order dated January 13, 2016 is hereby modified as follows: The defendant is found in violation. Defendant is sentenced as follows:

AS TO VN12-01-0173-02 : TIS 16 Del.C.47530001FC
VIOL O/PROBATN - FOUND IN VIOLATION

Effective January 13, 2016 the defendant is sentenced as follows:

- The defendant is placed in the custody of the Department of Correction for 5 year(s) at supervision level 5

AS TO VN13-02-0126-01 : TIS 16 Del.C.4763000aMA
VIOL O/PROBATN - FOUND IN VIOLATION

- The defendant is placed in the custody of the Department of Correction for 1 year(s) at supervision level 5

- Suspended for 6 month(s) at supervision level 4 HOME
APPROVED ORDER 1 September 15, 2021 15:56

STATE OF DELAWARE
VS.
ANTHONY L KELSON
DOB: 10/20/1988
SBI: 00571812

CONFINEMENT

- Hold at supervision level 3
- Until space is available at supervision level 4 HOME

CONFINEMENT

AS TO VN13-02-1365-01 : NON-TIS 21 Del.C.417700a3M
VIOL O/PROBATN - FOUND IN VIOLATION

- The defendant is placed in the custody of the Department of Correction for 1 year(s) at supervision level 5

- Suspended for 1 year(s) at supervision level 3

Probation is concurrent to criminal action number
VN13-02-0126 01 .

SPECIAL CONDITIONS BY ORDER

STATE OF DELAWARE
VS.
ANTHONY L KELSON
DOB: 10/20/1988
SBI: 00571812

CASE NUMBER:
1112005071
1301013163

All previous terms and conditions are reimposed.

See Notes

For the purposes of ensuring the payment of costs, fines, restitution and the enforcement of any orders imposed, the Court shall retain jurisdiction over the convicted person until any fine or restitution imposed shall have been paid in full. This includes the entry of a civil judgment pursuant to 11 Del.C. 4101 without further hearing.

NOTES

The defendant shall pay costs, fines and/or restitution as previously ordered.

=====MODIFIED ORDER=====

and now to wit, this 15th day of September 2021, this Order has been modified to reflect that the defendant's level 4 sentence has been modified from level 4 Work Release to Home Confinement with a hold at level 3.



JUDGE VIVIAN L. MEDINILLA