

**THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY**

STATE OF DELAWARE,)	
)	
v.)	ID # 0109001783,
)	9511017952,
)	9510004645
DANA I. WILLIAMS,)	
Defendant.)	

ORDER

**Upon Defendant’s February 13, 2012 Motion for
Modification of Sentence – DENIED;**

**Upon Defendant’s December 4, 2012 Motion for
Correction of Sentence – DENIED;**

**Upon Defendant’s December 6, 2011 Motion for Credit Time –
DENIED.**

1. Due to established mental illness, Defendant is unable to control his temper. Sooner or later, he lashes-out at – or behaves inappropriately toward – those around him, including correction officials and, in one instance, a nurse.

2. Because of his behavior and unsuitability for available treatment programs, Defendant is serving a multi-year sentence in prison. Worse, due to outbursts, he has been classified to SHU, maximum security. Thus, he is confined for 23 hours a day. The court understands Defendant was classified to SHU last June,

after an altercation.

3. Over the years, the court has reviewed Defendant's sentence. When it has provided a community-based treatment opportunity, Defendant has acted-out and been returned to custody. Defendant's last violation of probation was his second on ID # 0109001783.

4. Most recently, at Defendant's prompting, the court asked TASC to re-evaluate this difficult case.

5. According to the TASC report received December 3, 2012, TASC recommends Defendant be sentenced to a structured transition into the community. Specifically, TASC recommends Defendant's participation in Level 5 Greentree Program; upon successful completion of Greentree, Level 4 CREST; followed by CREST aftercare, with TASC monitoring. Then, Level 3.

6. Because Defendant is serving a long enough sentence at Level 5, Department of Correction has discretion to place Defendant in the Greentree Program.

7. The court, however, will not order Department of Correction to make that classification. But, the court recommends that Department of Correction consider giving Defendant the opportunity to complete the Greentree Program, as TASC recommends. If Defendant completes Greentree, the court will re-consider the remaining TASC recommendations, including CREST, etc.

8. As to Defendant's latest motions for correction of illegal sentence and credit time, which are based on the back-time calculation, the court has denied them before.¹ Defendant's current sentence is lawful.

For the foregoing reasons, Defendant's October 21, 2012 informal motion for modification of sentence is **DENIED**, except that the court recommends that Department of Correction seriously consider TASC's most recent classification recommendation. Defendant's latest motions for correction of sentence and credit time are also **DENIED**.

IT IS SO ORDERED.

Date: December 13, 2012

/s/ Fred S. Silverman
Judge

cc: Prothonotary (criminal)
Colleen K. Norris, Deputy Attorney General
Caroline L. Cross, Deputy Attorney General
Edna Y. Brooks, TASC Case Manager
Dana I. Williams, Defendant

¹ See, e.g., Cr. ID # 109001783, Docket No. 44, Order (Dec.19, 2011) (Silverman, J.); Cr. ID # 95011017952, Docket No. 132, Order (Aug. 12, 2010) (Silverman, J.).