

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE                   §  
PETITION OF ALBERT JAMES           §  
BROWN FOR A WRIT OF               § No. 138, 2003  
HABEAS CORPUS                       §

Submitted: March 25, 2003

Decided: April 8, 2003

Before **HOLLAND, BERGER** and **STEELE**, Justices

**ORDER**

This 8<sup>th</sup> day of April 2003, it appears to the Court that:

(1) On March 12, 2003, this Court received the appellant's petition for a writ of habeas corpus.

(2) On March 14, 2003, the Clerk issued a notice pursuant to Supreme Court Rule 29(b) directing the appellant to show cause why the appeal should not be dismissed for this Court's lack of original jurisdiction to issue a writ of habeas corpus.<sup>1</sup> The appellant filed his response to the notice to show cause on March 25, 2003, arguing that his arrest was illegal, but failing to address the jurisdictional issue.

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<sup>1</sup>DEL. CONST. art. IV, § 11(6); *In re Cantrell*, 678 A.2d 525, 526 (Del. 1996).

(3) Because this Court lacks original jurisdiction to issue a writ of habeas corpus, this appeal must be dismissed.

NOW, THEREFORE, IT IS ORDERED that, pursuant to Supreme Court Rule 29(b), this appeal is DISMISSED.

BY THE COURT:

/s/ Carolyn Berger  
Justice