

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BYRON STAFFORD,	§
	§ No. 429, 2010
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 0711010737
Plaintiff Below-	§
Appellee.	§

Submitted: August 9, 2010
Decided: August 13, 2010

ORDER

This 13th day of August 2010, the Court has considered the appellant's response to the rule to show cause and the State's reply thereto. The State has requested and the Court concurs that, given the unique circumstances in this case, this matter be remanded to the Superior Court to vacate its VOP sentencing order, entered on June 6, 2010, and to resentence the defendant to permit him the opportunity to file a timely appeal.

NOW, THEREFORE, IT IS ORDERED that this matter is REMANDED for resentencing. Jurisdiction is not retained.

BY THE COURT:

/s/ Jack B. Jacobs
Justice