

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MARK HONIE,	§
	§
Defendant Below,	§ No. 346, 2001
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID No. 0001013663
Plaintiff Below,	§
Appellee.	§

Submitted: July 25, 2001  
Decided: August 7, 2001

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

**ORDER**

This 7<sup>th</sup> day of August 2001, it appears to the Court that:

1. On July 25, 2001, the appellant, appearing *pro se*, filed a notice of appeal from the interlocutory order of the Superior Court dated June 29, 2001, wherein the jury returned a verdict of guilty on three counts of a criminal indictment.

2. Under the Delaware Constitution, only a final judgment may be reviewed by this Court in a criminal case. Del Const. Art. IV, 11(1)(b). A judgment is not final in a criminal case until a defendant has been sentenced.

*Eller v. State*, Del. Supr., 531 A.2d 951, 052 (1987). As a result, this Court

does not have jurisdiction to review Honie's interlocutory appeal in this matter.

*Rash v. State*, Del Supr., 318 A.2d 603, (1974); *State v. Cooley*, Del. Supr., 430 A.2d 789, (1981).

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

BY THE COURT:

Myron T. Steele

Justice