

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ANDRE T. DUBOSE,	§
	§
Defendant Below,	§ No. 159, 2014
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§
	§ Cr. ID 1302011427
Plaintiff Below,	§
Appellee.	§

Submitted: April 24, 2014

Decided: May 6, 2014

Before **BERGER, JACOBS, and RIDGELY**, Justices.

ORDER

This 6th day of May 2014, it appears to the Court that:

(1) The appellant, Andre Dubose, filed this appeal from a decision of the Superior Court, entered March 11, 2014, which continued his criminal trial date after plea negotiations failed. The Senior Court Clerk issued a notice to Dubose to show cause why his appeal should not be dismissed based on the Court's lack of jurisdiction to entertain an interlocutory appeal in a criminal case.

(2) Dubose filed a response to the notice to show cause on April 24, 2014. Dubose's response does not address the jurisdictional defect raised in

the notice to show cause, but instead argues that he never agreed to a continuance of his trial.

(3) Under the Delaware Constitution, this Court may review only a final judgment in a criminal case.¹ The Superior Court's continuance of Dubose's criminal trial date is clearly an unappealable interlocutory ruling.² This Court therefore does not have jurisdiction to review this appeal.³

NOW, THEREFORE, IT IS ORDERED that the within interlocutory appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice

¹ DEL. CONST. art. IV, § 11(1)(b).

² See *Robinson v. State*, 704 A.2d 269, 271 (Del. 1998).

³ See *Gottlieb v. State*, 697 A.2d 400, 401 (Del. 1997).