IN THE SUPREME COURT OF THE STATE OF DELAWARE

ALFRED MAURICE LEWIS,	§	
	§	No. 187, 2014
Defendant Below,	§	
Appellant,	§	Court Below—Superior Court
	§	of the State of Delaware in and
v.	§	for New Castle County
	§	
STATE OF DELAWARE,	§	Cr. ID No. 1311017538
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: April 28, 2014
Decided: May 6, 2014

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

O R D E R

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

(1) On April 14, 2014, the appellant, Alfred Maurice Lewis ("Lewis"), filed a *pro se* notice of appeal from a Superior Court order, docketed on March 14, 2014, denying his motion for appointment of counsel. It appears from the Superior Court docket that Lewis is represented by counsel in the Superior Court. Lewis' criminal trial is scheduled to begin June 5, 2014.

(2) Upon receipt of the notice of appeal, the Clerk issued a notice directing Lewis to show cause why the appeal should not be dismissed based upon this Court's lack of jurisdiction to entertain an interlocutory appeal in a criminal matter.

In his response to the notice to show cause, Lewis argues the merit of his motion for appointment of counsel. He does not address the jurisdictional issue raised in the notice to show cause.

(3) Under the Delaware Constitution only a final judgment may be reviewed by the Court in a criminal case.[1] The Court has no jurisdiction to entertain an appeal from an interlocutory order in a criminal case.[2]

(4) The Superior Court order denying Lewis' motion for appointment of counsel is an interlocutory order. The denial of Lewis' motion for appointment of counsel is not appealable as a collateral order before the entry of a final judgment.

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

BY THE COURT:

/s/ Jack B. Jacobs
Justice

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[1] DEL. CONST. art. IV, § 11(1)(b).

[2] *Gottlieb v. State*, 697 A.2d 400, 401 (Del. 1997); *State v. Cooley*, 430 A.2d 789, 791 n.2 (Del. 1981); *Rash v. State*, 318 A.2d 603, 604 (Del. 1974).