

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LAUREN PURNELL,	§	
	§	
Defendant Below-	§	No. 281, 2016
Appellant,	§	
	§	
v.	§	Court Below—Superior Court
	§	of the State of Delaware
STATE OF DELAWARE,	§	
	§	Cr. ID 1508003767
Plaintiff Below-	§	
Appellee.	§	

Submitted: June 13, 2016

Decided: June 29, 2016

Before **STRINE**, Chief Justice; **HOLLAND** and **SEITZ**, Justices.

**ORDER**

This 29th day of June 2016, it appears to the Court that:

(1) On May 31, 2016, the Court received the appellant Lauren Purnell's notice of appeal from a Superior Court order, dated April 29, 2016, dismissing her appeal from a Court of Common Pleas' sentencing order. The Court of Common Pleas convicted Purnell of Criminal Trespass in the Third Degree and sentenced her to twelve months at Level I probation, plus a \$150 fine of which \$100 was suspended, leaving Purnell responsible only for a \$50 fine.

(2) The Clerk of this Court issued a notice under Supreme Court Rule 29(b) directing Purnell to show cause why the appeal should not be dismissed for

this Court's lack of jurisdiction to consider a criminal appeal that fails to meet the thresholds set forth in Article IV, § 11(1)(b) of the Delaware Constitution. Purnell filed a response to the notice to show cause on June 13, 2016. She argues the merits of her appeal from the Court of Common Pleas proceeding but fails to address the jurisdictional defect.

(3) After careful consideration, we conclude that Purnell's appeal must be dismissed. Like the Superior Court,<sup>1</sup> this Court's constitutional jurisdiction is limited to criminal appeals when the sentence is "imprisonment exceeding one month, or fine exceeding One Hundred Dollars."<sup>2</sup> In Purnell's case, the Court of Common Pleas' sentence did not include any term of imprisonment. Purnell was sentenced only to one year at Level I probation and ordered to pay a \$50 fine. This sentence fails to meet the jurisdictional threshold.<sup>3</sup> Therefore, the appeal must be dismissed.

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

BY THE COURT:

/s/ Leo E. Strine, Jr.

Chief Justice

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<sup>1</sup> Del. Const. art. IV, § 28.

<sup>2</sup> Del. Const. art. IV, § 11(1)(b).

<sup>3</sup> *Marker v. State*, 450 A.2d 397, 398 (Del. 1982).