

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL WIGGINS,	§
	§ No. 258, 2018
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware
STATE OF DELAWARE,	§
	§ Cr. ID N1412002182
Plaintiff Below-	§
Appellee.	§

Submitted: August 28, 2018
Decided: August 29, 2018

Before **STRINE**, Chief Justice; **VALIHURA** and **VAUGHN**, Justices.

ORDER

We have considered the State’s motion to remand for reconsideration of the defendant’s motion for modification of sentence. The State contends that the Superior Court, at the 2016 sentencing hearing, agreed to retain jurisdiction to consider modifying the defendant’s sentence if he completed a GED program. The State thus concedes error in the Superior Court’s rejection of the defendant’s motion as procedurally barred.

NOW, THEREFORE, IT IS ORDERED that this matter is REMANDED to the Superior Court to consider the merits of the defendant’s motion. Jurisdiction is not retained.

BY THE COURT:

/s/ Karen L. Valihura
Justice