

IN THE SUPREME COURT OF THE STATE OF DELAWARE

FRANKLIN R. WRIGHT,	§	
	§	No. 40, 2020
Defendant Below,	§	
Appellant,	§	
	§	
v.	§	Court Below—Superior Court
	§	of the State of Delaware
STATE OF DELAWARE,	§	
	§	Cr. ID No. 1607007843 (N)
Plaintiff Below,	§	
Appellee.	§	

Submitted: July 31, 2020
Decided: October 2, 2020

Before **SEITZ**, Chief Justice; **TRAYNOR** and **MONTGOMERY-REEVES**, Justices.

ORDER

After careful consideration of the parties’ briefs and the record below, we conclude that the judgment below should be affirmed on the basis of and for the reasons assigned by the Superior Court in its well-reasoned January 13, 2020 order denying the appellant’s motion for postconviction relief.¹ To the extent that the appellant argues that his sentence is illegal, we will not consider this argument for the first time on appeal,² and—as the appellant acknowledges—he may file a motion

¹ *State v. Wright*, 2020 WL 218424 (Del. Super. Ct. Jan. 13, 2020).

² Del. Supr. Ct. R. 8 (“Only questions fairly presented to the trial court may be presented for review; provided, however, that when the interests of justice so require, the Court may consider and determine any question not so presented.”); *Delaware Elec. Coop., Inc. v.*

to correct an illegal sentence with the Superior Court under Superior Court Criminal Rule 35(a) “at any time.”³

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Tamika R. Montgomery-Reeves
Justice

Duphily, 703 A.2d 1202, 1206 (Del. 1997) (“It is a basic tenant of appellate practice that an appellate court reviews only matters considered in the first instance by a trial court.”).

³ Del. Super. Ct. Crim. R. 35(a).