

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE §
PETITION OF MAURICE C. § No. 205, 2003
LAND FOR A WRIT OF §
MANDAMUS. §

Submitted: May 5, 2003
Decided: August 4, 2003

Before **VEASEY**, Chief Justice, **BERGER** and **STEELE**, Justices.

ORDER

This 4th day of August 2003, the Court has considered the petition for a writ of mandamus filed by Maurice C. Land and the answer and motion to dismiss filed by the State of Delaware. Land has applied to this Court for a writ of mandamus to be directed to the Board of Parole.¹ This Court is without jurisdiction to issue a writ of mandamus to the Board of Parole. This Court's original jurisdiction to issue a writ of mandamus is limited to instances when the respondent is a court or a judge.² "The Board of Parole is not a judicial entity, nor are its members judicial officers."³

¹In 1979, a Superior Court jury convicted Land of Burglary in the First Degree, two weapons offenses and Assault in the Third Degree. On direct appeal, this Court affirmed the Superior Court judgment. *Land v. State*, Del. Supr., No. 164, 1979 (Apr. 22, 1980).

²Del. Const. art. IV, § 11(6); *In re Hitchens*, 600 A.2d 37, 38 (Del. 1991).

³*In re Hall*, 1989 WL 27750 (Del. Supr.).

NOW, THEREFORE, IT IS ORDERED that the State's motion to dismiss is GRANTED. Land's petition for a writ of mandamus is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele
Justice