

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOEL C. WILSON,	§
	§ No. 374, 2001
Petitioner Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ C.A. No. 01M-07-068
Respondent Below-	§ ID No. 9911010599
Appellee.	§

Submitted: October 9, 2001
Decided: November 8, 2001

Before **VEASEY**, Chief Justice, **WALSH**, and **HOLLAND**, Justices.

ORDER

This 8th day of November 2001, upon consideration of the appellant's opening brief and the appellee's motion to affirm, it appears to the Court that:

(1) The appellant, Joel Wilson, filed this appeal from the Superior Court's denial of his petition for a writ of habeas corpus. After the Superior Court denied his petition, Wilson pleaded guilty to theft and was sentenced to ninety days at Level V imprisonment. Since filing this appeal, Wilson has been released from Level V custody.

(2) As a result of his release from custody, any issues presented in this appeal, irrespective of their merits, are moot.¹ Thus, any decision by this Court on the issues raised would be without force or effect in this case and would constitute an impermissible advisory opinion.²

NOW, THEREFORE, IT IS ORDERED that this appeal is DISMISSED as moot.

BY THE COURT:

/s/ E. Norman Veasey
Chief Justice

¹*Hoover v. Snyder*, Del. Supr., No. 148, 1995, Berger, J. (Dec. 18, 1995) (Order).

²*Sannini v. Casscells*, Del. Supr., 401 A.2d 927, 930 (1979).