

IN THE SUPREME COURT OF THE STATE OF DELAWARE

THOMAS E. NORWOOD,	§	
	§	No. 371, 2001
Petitioner Below,	§	
Appellant,	§	Court Below–Superior Court
	§	of the State of Delaware, in
v.	§	and for Sussex County, in
	§	C.A. No. 01M-07-022.
STATE OF DELAWARE,	§	
	§	
Respondent Below,	§	
Appellee.	§	Def. ID No. 0107006910

Submitted: September 27, 2001

Decided: October 23, 2001

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

ORDER

This 23rd day of October 2001, it appears to the Court that:

(1) The appellant, Thomas E. Norwood, has filed this appeal from the Superior Court’s denial of his petition for a writ of habeas corpus. The appellee, State of Delaware, has moved to affirm the judgment of the Superior Court on the ground that it is manifest on the face of Norwood’s opening brief that this appeal is without merit.

(2) On July 12, 2001, Norwood was arrested for numerous drug offenses, including Trafficking in Cocaine. After a preliminary hearing in the

Court of Common Pleas, Norwood's case was transferred to the Superior Court, and Norwood was ordered held on a secured bond. Norwood pled not guilty at his September 6 Superior Court arraignment. He is currently being held for failure to post the \$71,750 bond. Norwood's case has been set for final case review.¹

(3) On July 27, 2001, Norwood filed a petition for a writ of habeas corpus in the Superior Court. By order dated July 30, 2001, the Superior Court denied Norwood's habeas corpus petition. The Superior Court determined that Norwood was not entitled to habeas corpus relief, as his incarceration for failure to post bond was regular on its face. We agree and affirm.

(4) "Habeas corpus provides an opportunity for one illegally confined or incarcerated to obtain judicial review of the court ordering the commitment."² The record reflects that Norwood's detention on pending felony charges, in default of bail, is proper.³ The Superior Court was correct in summarily dismissing Norwood's petition for a writ of habeas corpus.

¹*State v. Norwood*, Del. Super., Cr.A. Nos. IS01-07-0344 - 0366.

²*Hall v. Carr*, Del. Supr., 692 A.2d 888, 891 (1997),

³10 *Del. C.* § 6902(1).

(5) It is manifest on the face of Norwood's opening brief that this appeal is without merit. The issues presented in this appeal are clearly controlled by settled Delaware law.

NOW, THEREFORE, IT IS ORDERED that the State's motion to affirm is GRANTED. The judgment of the Superior Court is AFFIRMED.

BY THE COURT:

 s/Joseph T. Walsh
Justice