

IN THE SUPREME COURT OF THE STATE OF DELAWARE

STANLEY E. WASHINGTON,	§	
	§	No. 196, 2003
Petitioner Below-	§	
Appellant,	§	Court Below---Superior Court
	§	of the State of Delaware,
v.	§	in and for New Castle County
	§	C.A. No. 02M-04-066
DEPARTMENT OF	§	
CORRECTION and STANLEY	§	
TAYLOR,	§	
	§	
Respondents Below-	§	
Appellees.	§	

Submitted: October 31, 2003  
Decided: December 10, 2003

Before **HOLLAND, STEELE** and **JACOBS**, Justices

**ORDER**

This tenth day of December 2003, upon consideration of the briefs on appeal and the record below, it appears to the Court that:

(1) The petitioner-appellant, Stanley E. Washington, filed an appeal from the Superior Court's March 26, 2003 order denying his motion for reconsideration of the Superior Court's October 23, 2002 order, which denied as moot his petition for a writ of mandamus. We find no merit to the appeal. Accordingly, we affirm.

(2) In January 2002, prison officials conducted a number of disciplinary hearings regarding several incidents of alleged misconduct by Washington, a

prison inmate. Washington was found to have committed a number of offenses and appealed from the findings of four disciplinary hearings. On April 15, 2002, Washington filed a petition for a writ of mandamus requesting that the Superior Court order the Department of Correction (“DOC”) and the DOC Commissioner to decide his appeals. Washington claimed that the Commissioner had failed to decide his appeals in a timely fashion in accordance with the Code of Penal Discipline, which governs prison disciplinary hearings, and requested that his disciplinary record be expunged.

(3) On October 15, 2002, the State responded to the petition stating that three of the appeals already had been decided and the fourth would be decided on or before October 22, 2002. On October 23, 2002, on the basis of the State’s representation, the Superior Court determined that the petition for a writ of mandamus was moot. Washington did not appeal that decision.

(4) On November 6, 2002, Washington filed a motion in the Superior Court requesting a hearing with respect to his disciplinary appeals. On January 8, 2003 and February 13, 2003 filed letters requesting the Superior Court to render a decision concerning his complaints. On March 26, 2003, the Superior Court denied Washington’s request for a hearing, stating that the issues as to which

Washington sought review had already been disposed of in its October 23, 2002 decision.

(5) We review the Superior Court's denial of a motion for reconsideration for abuse of discretion.<sup>1</sup> In this case, we find no abuse of discretion on the part of the Superior Court in denying Washington's motion. The Superior Court had already decided the issue of Washington's disciplinary appeals and Washington did not offer a sufficient basis for reconsideration of that decision.

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

BY THE COURT:

/s/ Randy J. Holland  
Justice

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<sup>1</sup>*Reed v. Reed*, Del. Supr., No. 288, 1996, Hartnett, J. (May 28, 1997).