

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE                   §  
PETITION OF TYRON R.               §     No. 186, 2002  
MIFFLIN FOR A WRIT OF           §  
MANDAMUS.                           §     Def. ID No. 9810001926

Submitted: April 12, 2002  
Decided:    May 30, 2002

Before **WALSH, HOLLAND** and **BERGER**, Justices.

**ORDER**

This 30th day of May 2002, upon consideration of the petition for a writ of mandamus filed by Tyron R. Mifflin, and the answer and motion to dismiss filed by the State of Delaware, it appears to the Court that:

(1) Tyron R. Mifflin was arrested in October 1998 and indicted in November 1998 for several drug offenses. In October 1999, Mifflin pleaded guilty, pursuant to Superior Court Criminal Rule 11(e)(1)(c), to Trafficking in Cocaine. The Superior Court sentenced Mifflin to 10 years at Level V suspended after three years minimum mandatory for two years at Level III and three years at Level II.\*

(2) In his petition for a writ of mandamus, Mifflin seeks to compel the Superior Court to credit his sentence with 20 days that Mifflin

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\* *State v. Mifflin*, Del. Super., No. 9810001926, Ridgely, P.J. (Sept. 8, 1999).

served in October 1998, prior to his release on bail. Mifflin made a similar request in a motion for modification of sentence that was filed in the Superior Court on December 12, 2001.

(3) By order dated April 12, 2002, the Superior Court acted upon Mifflin's motion for modification of sentence, modifying Mifflin's sentence to provide him with 20 days credit for time previously served in October 1998. In view of the Superior Court's April 12 order, Mifflin's petition for a writ of mandamus is moot.

NOW, THEREFORE, IT IS ORDERED that the petition for a writ of mandamus is DISMISSED as moot.

BY THE COURT:

/s/ Randy J. Holland  
Justice