

IN THE SUPREME COURT OF THE STATE OF DELAWARE

TERRELL TWYMAN,	§	
	§	No. 49, 2004
Defendant Below,	§	
Appellant,	§	
	§	Court Below: Superior Court
v.	§	of the State of Delaware
	§	in and for New Castle County
STATE OF DELAWARE,	§	
	§	Cr. ID No. 0006003916
Defendant Below,	§	
Appellee.	§	

Submitted: February 19, 2004
Decided: March 9, 2004

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

ORDER

This 9th day of March 2004, it appears to the Court that:

(1) On February 11, 2004, the appellant, Terrell Twyman, filed a *pro se* notice of appeal from a decision of the Superior Court dated January 30, 2004. In its decision, the Superior Court denied Twyman's request for a transcript.

(2) On February 11, 2004, the Assistant Clerk of this Court issued a notice, pursuant to Supreme Court 29(b), directing Twyman to show cause why this appeal should not be dismissed based on this Court's lack of jurisdiction to entertain a criminal interlocutory appeal.

(3) On February 18, 2004, Twyman filed a response to the notice to show cause. In his response, Twyman discusses his reasons why he needs a transcript and opines that the denial of a transcript is unconstitutional. Twyman does not address the issue of this Court's lack of jurisdiction to entertain a criminal interlocutory appeal. The Superior Court's refusal to provide a transcript is clearly an interlocutory ruling in this criminal matter.¹

(4) Under the Delaware Constitution, this Court may review only a final judgment in a criminal case.² As a result, this Court does not have jurisdiction to review the Superior Court's interlocutory ruling in this case.³

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice

¹See *Robinson v. State*, 704 A.2d 269, 271 (Del. 1998).

²Del. Const. art. IV, § 11(1)(b).

³See *Gottlieb v. State*, 697 A.2d 400 (Del. 1997); *Rash v. State*, 318 A.2d 603 (Del. 1974).