

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RALPH E. SWAN,	§
	§
Defendant Below-	§ No. 370, 2000
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr.ID. Nos. 0002004767
Plaintiff Below-	§ 0002004768
Appellee.	§

Submitted: July 28, 2000  
Decided: August 11, 2000

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

**ORDER**

This 11<sup>th</sup> day of August 2000, it appears to the Court that:

- (1) The defendant-appellant, Ralph E. Swan, filed a notice of appeal in this Court on July 28, 2000. The notice of appeal indicates that Swan is attempting to appeal from his counsel's response to the State's motion to disqualify counsel, which was filed in the Superior Court on June 27, 2000.
- (2) It appears that the Superior Court has not yet ruled on the motion to disqualify counsel. Even if the Superior Court had already ruled, its order would be an interlocutory, and not a final, order. This Court has no jurisdiction

to review an interlocutory order in a criminal case.\* This well-settled principle of Delaware law precludes our consideration of Swan's appeal.

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

BY THE COURT:

s/Joseph T. Walsh  
Justice

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\*Del. Const. art. IV, § 11(1) (b); *State v. Cooley*, Del. Supr., 430 A.2d 789, 791 (1981).