

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE §
PETITION OF PETER § No. 169, 2004
KOSTYSHYN FOR A WRIT OF §
HABEAS CORPUS. §

Submitted: May 7, 2004
Decided: August 16, 2004

Before **STEELE**, Chief Justice, **HOLLAND** and **RIDGELY**, Justices.

ORDER

This 16th day of August 2004, upon consideration of Peter Kostyshyn's petition for a writ of habeas corpus, the Clerk's notice to show cause and Kostyshyn's response to the notice, it appears to this Court that Kostyshyn's petition must be dismissed. This Court has no original jurisdiction to issue a writ of habeas corpus. Del. Code Ann. tit. 10, § 6901; *In re Cantrell*, 678 A.2d 525, 526 (Del. 1996); *Rocker v. State*, 240 A.2d 141, 142 (Del. 1968).

NOW, THEREFORE, IT IS ORDERED that the petition for a writ of habeas corpus is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele
Chief Justice