

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE §
PETITION OF ALAN BASS § No. 639, 2002
FOR A WRIT OF PROHIBITION §

Submitted: December 2, 2002
Decided: December 19, 2002

Before **VEASEY**, Chief Justice, **BERGER**, and **STEELE**, Justices.

ORDER

This 19th day of December 2002, upon consideration of the petition of Alan Bass for a writ of prohibition, as well as the State's answer and motion to dismiss, it appears to the Court that:

(1) The petitioner, Alan Bass, seeks to invoke the original jurisdiction of this Court by requesting a writ of prohibition be issued to the Superior Court. Bass contends that the Superior Court lacked jurisdiction to try, convict, and sentence him. The State has filed a motion to dismiss on the ground that Bass' petition is untimely. We agree.

(2) Bass was convicted in 1983 of numerous felonies, including rape, robbery, burglary, and kidnapping. The Superior Court sentenced him to five consecutive life terms of imprisonment plus an additional 45 years. This Court affirmed Bass' convictions and sentences on direct appeal.¹ In the decades

¹ *Bass v. State*, Del. Supr., No. 14, 1984, Horsey, J. (Sept. 20, 1985).

following his conviction, Bass has filed several unsuccessful postconviction petitions.

(3) This Court has authority to issue a writ of prohibition to prevent a court in this State from exceeding the limits of its jurisdiction in either a civil or criminal proceeding and is designed primarily to keep the administration of justice in orderly channels.² In this case, Bass was tried and convicted nearly two decades ago. Bass' petition to prevent criminal proceedings against him in the Superior Court simply comes too late and, therefore, must be dismissed.³

NOW, THEREFORE, IT IS ORDERED that the motion to dismiss is GRANTED. The petition for a writ of prohibition is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele

Justice

² *In re Hovey*, 545 A.2d 626, 628 (Del. 1988).

³ *See Black v. State*, Del. Supr., No. 353, 2002, Holland, J. (Oct. 26, 2000).