

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE §
PETITION OF FREDERICK § No. 145, 2002
PARKER FOR AN §
EXTRAORDINARY WRIT §

Submitted: April 10, 2002

Decided: April 24, 2002

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

ORDER

This 24th day of April 2002, upon consideration of the petition of Frederick Parker for an extraordinary writ and the State's answer and motion to dismiss, it appears to the Court that:

(1) In 1999 the Superior Court found that Parker had violated his probation in connection with felony convictions in 1996 and 1998 and sentenced him for the violations. In 2000 Parker pleaded guilty to additional felony charges. Parker did not file a direct appeal of his convictions or sentences, nor did he file a motion for postconviction relief.¹

(2) An extraordinary writ will not be issued if the petitioner has another adequate and complete remedy at law to correct the act of the trial

¹SUPER. CT. CRIM. R. 61.

court that is alleged to be erroneous.² In this case, although Parker did not file a direct appeal, he still has the option of filing a motion for postconviction relief. Because Parker has another remedy at law, his petition for an extraordinary writ must be dismissed.

NOW, THEREFORE, IT IS ORDERED that Parker's petition for an extraordinary writ is DISMISSED.

BY THE COURT:

/s/ Randy J. Holland
Justice

²*In re Hovey*, 545 A.2d 626, 628-29 (Del. 1988); *In re Bordley*, 545 A.2d 619, 620 (Del. 1988).