

IN THE SUPREME COURT OF THE STATE OF DELAWARE

TERRENCE HICKSON,	§
	§ No. 410, 2004
Defendant Below,	§
Appellant,	§ Court Below – Superior Court
	§ of the State of Delaware,
v.	§ in and for New Castle County
	§ Cr.A. Nos. IN03-07-0958; 1016;
STATE OF DELAWARE,	§ 1020; 1021; 1037
	§
Plaintiff Below,	§
Appellee.	§

Submitted: June 17, 2005  
Decided: August 8, 2005

Before **STEELE**, Chief Justice, **HOLLAND** and **BERGER**, Justices

**ORDER**

This 8th day of August 2005, upon consideration of the briefs on appeal and the record below, it appears to the Court that:<sup>1</sup>

(1) The defendant-appellant, Terrence Hickson, was found guilty by a Superior Court jury of Leaving the Scene of an Accident, Reckless Endangering in the Second Degree, Disregarding a Police Officer's Signal, Reckless Driving, and Disregarding a Red Light. He was sentenced on the conviction of Leaving the Scene of an Accident to one year incarceration at Level V, to be suspended immediately for one year at Level II probation.

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<sup>1</sup> The appellant is proceeding pro se in this direct appeal. The Superior Court permitted Hickson's trial counsel to withdraw prior to sentencing.

On the conviction of Reckless Endangering, he was sentenced to thirty days incarceration at Level V. On the conviction of Disregarding a Police Officer's Signal, he was assessed a fine of \$575. On the remaining convictions, he was assessed fines of \$100 and \$75, respectively. This is Hickson's direct appeal.

(2) The evidence at trial was that, on June 10, 2003, Ebony McNeill, the mother of Hickson's daughter, was discussing child care arrangements with Hickson as he sat in the driver's seat of his gold Acura automobile. At some point during their conversation, a disagreement arose concerning Hickson's failure to turn off his cell phone. Hickson sped off in the car and struck McNeill as he did so. Hickson did not stop his car after striking McNeill.

(3) While in the hospital for her injuries, McNeill provided police with a report of the incident, as well as a description of Hickson's car and the license plate number. The police obtained a warrant for Hickson's arrest and several officers went to his address at Staghorn Court in Bear, Delaware, to execute the warrant. When Hickson failed to answer the door, the officers parked their vehicles in the development and waited for him to return. When Hickson appeared, the officers pulled his vehicle over. The officers' vehicles were marked and their lights were activated.

(4) As one of the officers got out of his patrol car, Hickson accelerated his car in the direction of the officer. Hickson then led the officers on a high-speed chase out of the development, through a red light at the intersection of Routes 7 and 40, and onto Route 40. On the way out, Hickson almost collided with the patrol car that was positioned at the entrance to the development. On Route 1 near Christiana, Delaware, the officers gave up the high-speed chase for safety reasons. Hickson's gold Acura was located some time later. It was seized and brought to police headquarters for an inventory search.

(5) In this appeal, Hickson appears to claim that there was insufficient evidence to support his convictions and that he should not have been sentenced on those convictions.<sup>2</sup>

(6) In reviewing a claim of insufficiency of the evidence, this Court determines whether, viewing the evidence in the light most favorable to the State, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.<sup>3</sup> In doing so, we make no distinction

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<sup>2</sup> This Court does not have appellate jurisdiction over Hickson's convictions of Reckless Endangering, Reckless Driving and Disregarding a Red Light, since none of them involves a sentence of imprisonment in excess of one month or a fine in excess of \$100, as required by Article IV, § 11(1) (b) of the Delaware Constitution. *Marker v. State*, 450 A.2d 397, 398 (Del. 1982).

<sup>3</sup> *Barnett v. State*, 691 A.2d 614, 618 (Del. 1997).

between direct and circumstantial evidence.<sup>4</sup> Moreover, it is for the jury to weigh the relative credibility of the witnesses and reconcile any conflicting testimony.<sup>5</sup>

(7) The evidence adduced at trial clearly was sufficient to support Hickson's convictions of both Leaving the Scene of an Accident<sup>6</sup> and Disregarding a Police Officer's Signal.<sup>7</sup> Moreover, Hickson has offered no authority in support of his claim that he should not have received sentences on those convictions, as authorized by statute.<sup>8</sup>

(8) This Court has reviewed the record carefully and has concluded that Hickson's appeal is wholly without merit and devoid of any arguably appealable issues.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland  
Justice

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<sup>4</sup> *Skinner v. State*, 575 A.2d 1108, 1121 (Del. 1990).

<sup>5</sup> *Chao v. State*, 604 A.2d 1351, 1363 (Del. 1992).

<sup>6</sup> Del. Code Ann. tit. 21, § 4202(a) (1995).

<sup>7</sup> Del. Code Ann. tit. 21, § 4103(b) (1995).

<sup>8</sup> Del. Code Ann. tit. 21, §§ 4202(b) and 4103(b) (1995).