

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ROBERT W. JACKSON, III,)
) No. 216, 2006
)
) Defendant Below,
) Appellant,)
) Court Below: Superior Court
v.) of the State of Delaware
) in and for New Castle County
)
STATE OF DELAWARE,) ID #92003717
)
) Plaintiff Below,
) Appellee.)

Submitted: May 10, 2006
Decided: May 12, 2006

Before **STEELE**, Chief Justice, **HOLLAND, BERGER, JACOBS**, and **RIDGELY**, Justices, constituting the court en banc.

ORDER

This 12th day of May, 2006, it appears to the Court that:

On May 9, 2006, a United States District Court judge in the District of Delaware entered an order granting Jackson's motion for a preliminary injunction enjoining the State defendants from carrying out Jackson's execution.¹ Jackson's appeal to this Court of the Superior Court judge's refusal to grant a stay of execution is now moot. Accordingly, the appeal is dismissed.²

BY THE COURT:

/s/ Myron T. Steele
Chief Justice

¹ *Jackson v. Taylor*, 2006 U.S. Dist. LEXIS 27658 (D. Del. May 9, 2006)

² *See* Del. S. Ct. R. 29(b).