

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LINDA L. CHARBONNEAU,	§
	§
Defendant Below-	§ No. 280, 2006
Appellant,	§
	§ Certification of Questions of
v.	§ Law from the Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for Sussex County
	§ Cr. ID 0207003810
Plaintiff Below-	§
Appellee.	§

Submitted: June 6, 2006
Decided: June 19, 2006

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

ORDER

This 19th day of June 2006, it appears to the Court that:

(1) The Superior Court of the State of Delaware certified two questions to this Court in accordance with the Delaware Constitution, art. IV, § 11(9) and Delaware Supreme Court Rule 41. Specifically, by order dated June 2, 2006, the following questions have been certified:

a. Notwithstanding the trial judge's subjective belief that he is free of bias or prejudice, is there an objective appearance of bias as a matter of law sufficient to cause doubt about his impartiality?

b. If there is not an objective appearance of bias sufficient to cause doubt about his impartiality, are there unusual circumstances in this case which would warrant reassignment to another judge as a matter of judicial administration?

(2) Supreme Court Rule 41 provides, in part, that certification will be accepted by this Court only if there are “important and urgent reasons for an immediate determination by this Court of the questions certified.”

(3) The Court has considered the questions certified and the particular circumstances of this case and has determined that important and urgent reasons do not exist to justify deviating from the ordinary appellate process available to the parties in this case.

NOW, THEREFORE, IT IS ORDERED that the questions of law certified by the Superior Court of the State of Delaware are hereby REFUSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice