

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE §
PETITION OF STANLEY § No. 376, 2006
YELARDY FOR A WRIT OF §
MANDAMUS §

Submitted: July 28, 2006
Decided: September 22, 2006

Before **STEELE**, Chief Justice, **JACOBS**, and **RIDGELY**, Justices.

ORDER

This 22nd day of September 2006, it appears to the Court that:

(1) The petitioner, Stanley Yelardy, seeks to invoke this Court's original jurisdiction by requesting the Court to issue a writ of mandamus to compel court reporters in the Superior Court to comply with his requests for transcripts. The State of Delaware has filed an answer and motion to dismiss Yelardy's petition.

(2) The original jurisdiction of this Court to issue an extraordinary writ of mandamus is limited to instances when the respondent is a court or judge thereof.¹ Moreover, to the extent Yelardy seeks transcript to pursue the direct appeal he has pending before this Court in appeal No. 57, 2005, he

¹ *In re Hitchens*, 600 A.2d 37, 38 (Del. 1991).

has another adequate remedy at law because he may raise transcript issues in his opening brief on appeal.²

NOW, THEREFORE, IT IS ORDERED that Yelardy's petition for a writ of mandamus is DISMISSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice

² See *In re Bordley*, 545 A.2d 619, 620 (Del. 1988) (mandamus inappropriate if another adequate remedy at law exists).