

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GUANGO CORREA,	§	
	§	No. 430, 2003
Defendant Below,	§	
Appellant,	§	Court Below: Superior Court
	§	of the State of Delaware
v.	§	in and for Kent County
	§	
STATE OF DELAWARE,	§	Cr. ID No. 0205013182
	§	
Defendant Below,	§	Cr. A. No. IK02-05-0782R1
Appellee.	§	

Submitted: September 5, 2003
Decided: September 26, 2003

Before **VEASEY**, Chief Justice, **HOLLAND**, and **STEELE**, Justices.

ORDER

This 26th day of September 2003, it appears to the Court that:

1. On August 29, 2003, the appellant, Guango Correa, filed a *pro se* notice of appeal from a decision of a Superior Court Commissioner, dated August 13, 2003, which denied Correa's motion for postconviction relief.

2. On August 29, 2003, the Clerk of this Court issued a notice, pursuant to Supreme Court 29(b), directing Correa to show cause why this appeal should not be dismissed based on this Court's lack of jurisdiction to entertain a criminal interlocutory appeal. On September 5, 2003, Correa filed a response to the notice to show cause. In that response, Correa does not address the issue of this Court's lack of jurisdiction to entertain a criminal interlocutory appeal.

3. Under the Delaware Constitution, this Court may review only a final judgment in a criminal case.¹ As a result, this Court does not have jurisdiction to review the Superior Court's interlocutory ruling in this case.²

4. The Supreme Court's appellate jurisdiction is limited to appeals from decisions of judges of a court.³ Superior Court Criminal Rule 62 sets forth procedures for obtaining review of a Commissioner's order by a Superior Court judge.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Randy J. Holland
Justice

¹DEL. CONST. art. IV, § 11(1)(b).

²See *Gottlieb v. State*, 697 A.2d 400 (Del. 1997); *Rash v. State*, 318 A.2d 603 (Del. 1974).

³*Redden v. McGill*, 549 A.2d 695 (Del. 1988); Del. Code Ann. tit. 10, § 512.