

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RONALD E. NIX,	§
	§ No. 85, 2003
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for Kent County
	§ Cr. ID 0003008053
Plaintiff Below-	§
Appellee.	§

Submitted: February 19, 2003
Decided: March 5, 2003

Before **WALSH, HOLLAND**, and **BERGER**, Justices.

ORDER

This 5th day of March 2003, it appears to the Court that:

(1) The appellant has filed a notice of appeal from a decision of a Superior Court Commissioner, dated February 10, 2003, denying his motion for appointment of counsel. A Commissioner's order is not a final judgment for purposes of appeal to this Court.¹ A party's right of review from a Superior Court Commissioner's order shall be to a judge of the Superior Court.²

¹ See *Redden v. McGill*, 549 A.2d 695 (Del. 1988).

² DEL. CODE ANN. tit. 10, § 512(b).

(2) The Court concludes that this appeal manifestly fails on its face to invoke the Court's appellate jurisdiction. We further conclude that giving notice of the defect would serve no meaningful purpose and that any response would be of no avail.³

NOW, THEREFORE, IT IS ORDERED that the appeal is DISMISSED *sua sponte*.

BY THE COURT:

/s/ Randy J. Holland
Justice

³ DEL. SUPR. CT. R. 29(c).