

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE PETITION §
OF JAMES A. WILSON § No. 204, 2007
FOR A WRIT OF MANDAMUS §

Submitted: May 14, 2007
Decided: July 20, 2007

Before **BERGER, JACOBS**, and **RIDGELY** Justices.

ORDER

This 20th day of July 2007, upon consideration of James Wilson’s petition for a writ of mandamus and the State’s answer and motion to dismiss, it appears to the Court that:

(1) Wilson filed a petition requesting this Court to issue an extraordinary writ of mandamus directed to the Warden of the Delaware Correctional Center. Wilson asks that the Warden be directed to credit him with time that Wilson claims to have served on his sentence.

(2) This Court’s original jurisdiction to issue a writ of mandamus is limited to instances “when the respondent is a court or a judge thereof.”¹ This Court has no jurisdiction to issue an extraordinary writ to a nonjudicial public official such as the Warden of the Delaware Correctional Center. Accordingly, Wilson’s petition must be dismissed.

¹ *In re Hitchens*, 600 A.2d 37, 38 (Del. 1991) (citing Del. Const. art. IV, § 11(6)).

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

BY THE COURT:

/s/ Jack B. Jacobs
Justice