

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE	§
PETITION OF MICHAEL R.	§ Nos. 302 and 447, 2007
DUNBAR FOR A WRIT OF	§ (CONSOLIDATED)
CERTIORARI	§

Submitted: September 19, 2007

Decided: September 21, 2007

Before **HOLLAND, BERGER** and **JACOBS**, Justices

**ORDER**

This 21<sup>st</sup> day of September 2007, upon consideration of the petition for a writ of certiorari, and the State's answer and motion to dismiss, it appears to the Court that:

(1) The petitioner, Michael R. Dunbar, acting pro se, seeks to invoke this Court's original jurisdiction to issue an extraordinary writ of certiorari.<sup>1</sup> In his petition, Dunbar challenges his bail status.<sup>2</sup> The State of Delaware has filed an answer and a motion to dismiss. We conclude that Dunbar's petition manifestly fails to invoke the original jurisdiction of this Court. Accordingly, the petition must be DISMISSED.

(2) A writ of certiorari is an extraordinary remedy that is available only in limited circumstances and when no other adequate remedy is

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<sup>1</sup> Del. Const. art. IV, § 11(6).

<sup>2</sup> The record reflects that Dunbar currently is being held on first degree murder and weapon charges on \$40,000 bail.

available.<sup>3</sup> In certiorari, review generally is confined to jurisdictional matters, errors of law, or procedural irregularities that are manifest on the record.<sup>4</sup> In certiorari, the court reviews only a final order of the trial court.<sup>5</sup>

(3) A bail order issued by the Superior Court is an interlocutory, and not a final, order.<sup>6</sup> As such, Dunbar is not entitled to the issuance of a writ of certiorari with respect to his bail status. Moreover, the record reflects that Dunbar is currently represented by the Office of the Public Defender and has not received permission to act as co-counsel. Therefore, Dunbar may not represent himself in this proceeding.<sup>7</sup>

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

BY THE COURT:

/s/ Carolyn Berger  
Justice

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<sup>3</sup> *Shoemaker v. State*, 375 A.2d 431, 437-38 (Del. 1977).

<sup>4</sup> *Haskins v. Williams*, Del. Supr., No. 633, Steele, C.J. (Mar. 8, 2007); *Vincent v. State*, Del. Supr., No. 232, 2006, Jacobs, J. (Sept. 26, 2006).

<sup>5</sup> *Shoemaker v. State*, 375 A.2d at 438.

<sup>6</sup> *Steigler v. Superior Court*, 252 A.2d 300, 302-03 (Del. 1969).

<sup>7</sup> *In re Haskins*, 551 A.2d 65, 66-67 (Del. 1988).