

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE PETITION §
OF STEVEN D. CRAWFORD FOR A § No. 381, 2010
WRIT OF CERTIORARI §

Submitted: July 1, 2010
Decided: August 11, 2010

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

ORDER

This 11th day of August 2010, upon consideration of Steven D. Crawford’s petition for a writ of certiorari, as well as the State’s answer and motion to dismiss, it appears to the Court that:

(1) Crawford seeks to invoke this Court's original jurisdiction to issue an extraordinary writ of certiorari directing the Superior Court “to have the (cast of my foot print) taken to prove that I was not at the crime scene...” The State of Delaware has filed a response to Crawford’s petition and moves to dismiss. We conclude that Crawford’s petition manifestly fails to invoke the original jurisdiction of this Court and therefore must be dismissed.

(2) A writ of certiorari is an extraordinary remedy that is used to correct irregularities in the proceedings of a trial court.¹ Certiorari is available to challenge only a final order of a trial court where the right of appeal is denied, a grave

¹ *In re Butler*, 609 A.2d 1080, 1081 (Del. 1992).

question of public policy and interest is involved, and no other basis for review is available.² “Where these threshold requirements are not met, this Court has no jurisdiction to consider the petitioner's claims.”³

(3) In this case, Crawford contends that he was denied his right to appeal from the Superior Court’s order, filed October 28, 2009, which denied his petition for a writ of habeas corpus. Even if we assume without deciding that Superior Court personnel failed to notify Crawford of the denial of his petition for habeas corpus until March 2010, Crawford still would not be entitled to relief from this Court.

(4) The record reflects that Crawford was convicted in 1989 of Murder in the First Degree and related charges. This Court affirmed his convictions on direct appeal.⁴ Crawford filed several subsequent, unsuccessful motions for postconviction relief. In his latest petition for a writ of habeas corpus, Crawford alleged that his conviction is unlawful because the State withheld exculpatory evidence. The Superior Court denied Crawford’s petition because the relief Crawford requested is not available through habeas corpus.

² *Id.*

³ *Id.*

⁴ *Crawford v. State*, 580 A.2d 571 (Del. 1990).

(5) In Delaware, the writ of habeas corpus provides relief on a very limited basis.⁵ It is not available to a defendant committed to prison on a felony, “the species whereof is plainly and fully set forth in the commitment.”⁶ Because Crawford has failed to establish that his petition involves a question of grave public policy and interest for which there was no other basis for review, we conclude that his petition must be dismissed.

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

BY THE COURT:

/s/ Randy J. Holland
Justice

⁵ *Hall v. Carr*, 692 A.2d 888, 891 (Del. 1997).

⁶ Del. Code Ann. tit. 10, § 6902(1).