

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE                   §  
PETITION OF TERRY C. MALIN       § No. 16, 2008  
FOR A WRIT OF HABEAS               §  
CORPUS                                   §

Submitted: January 18, 2008  
Decided: January 25<sup>th</sup>, 2008

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

**ORDER**

This 25<sup>th</sup> day of January 2008, it appears to the Court that:

(1) On January 8, 2008, the petitioner, Terry C. Malin, filed a petition for a writ of habeas corpus in this Court. On that same date, the Clerk of the Court issued a notice to Malin to show cause why his petition should not be dismissed for this Court's lack of original jurisdiction to issue a writ of habeas corpus.<sup>1</sup>

(2) On January 18, 2008, Malin filed his response to the notice to show cause. In his response, Malin states that a number of his constitutional rights have been violated, but does not address this Court's lack of jurisdiction to issue a writ of habeas corpus.

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<sup>1</sup> *In re Cantrell*, 678 A.2d 525, 526 (Del. 1996).

(3) The Delaware Constitution does not confer original jurisdiction upon this Court to hear petitions for writs of habeas corpus.<sup>2</sup> Malin's petition for a writ of habeas corpus must, therefore, be dismissed.

NOW, THEREFORE, IT IS ORDERED that the within petition is DISMISSED.

BY THE COURT:

/s/ Carolyn Berger  
Justice

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<sup>2</sup> Del. Const. art. IV, § 11(6).