

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE
PETITION OF ANDRE D.
WALKER (a/k/a ANDRE D.
LAMPKINS) FOR A WRIT OF
MANDAMUS.

No. 532, 2000

Submitted: December 6, 2000

Decided: January 17, 2001

Before **VEASEY, Chief Justice, WALSH and STEELE**, Justices.

ORDER

This 17th day of January 2001, upon consideration of the petition for a writ of mandamus filed by Andre D. Walker and the answer and motion to dismiss filed by the State of Delaware, it appears to the Court that:

(1) In 1990, Walker was convicted of several drug offenses. Walker was sentenced to a total of 13 years and 90 days of imprisonment, suspended after five years for eight years and six months of probation.¹ On direct appeal, Walker's conviction was affirmed.²

(2) In January 1999, Walker was convicted of violation of probation. Walker was resentenced to a total of eight years of imprisonment, suspended after

¹*State v. Walker*, Del. Super, Cr.A.Nos. IN89-09-0526, Bifferato, J. (Dec. 7, 1990) (ORDER).

²*Walker v. State*, Del. Supr., No. 5, 1991, Holland, J., 1992 WL 53394 (Feb. 27, 1992) (ORDER).

seven years and six months, for six months of Level IV work release or home confinement.

(3) Walker's petition for a writ of mandamus in this Court complains that the Department of Correction has failed to credit his sentence, as reimposed in January 1999, with 1400 days of good time credit. Walker requests that this Court "require the Department of Correction to give him his good-time credits."

(4) Walker has invoked the wrong procedural measure to compel an application or recalculation of good time credits. This Court has limited jurisdiction to issue extraordinary writs.³ The Court lacks jurisdiction to issue extraordinary writs to other than judicial officers or courts.⁴ Walker's request that the Court issue a writ of mandamus directed to the Department of Correction fails on its face to invoke the Court's original jurisdiction.⁵

NOW, THEREFORE, IT IS ORDERED that the State's motion to dismiss is GRANTED. Walker's petition for a writ of mandamus is DISMISSED.

³See Del. Const. art. IV, § 11(6).

⁴*In re Hitchens*, Del. Supr., 600 A.2d 37, 38 (1991).

⁵*Id.*

BY THE COURT:

/s/ E. Norman Veasey
Chief Justice