

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LUTHER QUALLS a/k/a LUTHER RYONS,	§	
	§	No. 644, 2002
	§	
Defendant Below,	§	Court Below: Superior Court
Appellant,	§	of the State of Delaware
	§	in and for New Castle County
v.	§	
	§	Cr. ID No. 0103018655
STATE OF DELAWARE,	§	
	§	Cr. A. Nos. IN01-04-0492; IN01-05-
Defendant Below,	§	1482 and -1483
Appellee.	§	

Submitted: November 22, 2002

Decided: January 10, 2003

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

ORDER

This 10th day of January 2003, it appears to the Court that:

1. On November 22, 2002, the appellant, Luther Qualls a/k/a Luther Ryons, filed a *pro se* notice of appeal from a decision of the Superior Court dated November 7, 2002. In its decision, the Superior Court denied Qualls' Motion for Withdrawal of Counsel.

2. Under the Delaware Constitution, only a final judgment may be reviewed by this Court in a *criminal* case.¹ The denial of a motion for the withdrawal of counsel filed in the Superior Court is not a final appealable order. As a result, this Court has no jurisdiction to review Qualls' interlocutory appeal in this criminal case.²

3. The Court concludes, pursuant to Supreme Court Rule 29(c), that the within criminal interlocutory appeal, on its face, manifestly fails to invoke the Court's

¹ Del Const. Art. IV, § 11(1)(b).

² See *Gottlieb v. State*, 697 A.2d 400 (Del. 1997); *State v. Cooley*, 430 A.2d 789 (Del. 1981); *Rash v. State*, 318 A.2d 603 (Del. 1974).

jurisdiction, and that the giving of notice of said defect would serve no meaningful purpose and that any response would be to no avail.

NOW, THEREFORE, IT IS ORDERED, that this appeal is DISMISSED, *sua sponte*, pursuant to Supreme Court Rule 29(c).

BY THE COURT:

/s/ E. Norman Veasey
Chief Justice