



6). Since election of the First Offender's Program does not result in a conviction at the time of election, there is no conviction to appeal from.

7). Appellant's only avenue of review in this context may be limited to filing a Writ of Certiorari in the Superior Court. *Curtis, supra; Brandywine Apartments Assoc. v. Justice of the Peace*, 1999 WL 33255921 @\*2(Del. Com. Pl.)

NOW, THEREFORE, for the reasons stated above, IT IS ORDERED this \_\_\_\_\_ day of MAY, 2004, THAT:

- (1) The State's Motion to Dismiss the Appeal is GRANTED.
- (2) The Appellant's appeal is DISMISSED.

---

Rosemary Betts Beauregard,  
JUDGE