

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

ORDER AMENDING

**SPECIAL RULE OF CRIMINAL PROCEDURE 2017-1
FOR REVIEW OF A REQUEST TO MODIFY
A HABITUAL OFFENDER SENTENCE**

This 28th day of January 2020, **IT IS SO ORDERED** that:

(1) Superior Court Special Rule of Criminal Procedure 2017-1(a) is amended by adding a new paragraph “(3)” as follows:

(3) *Remedy unavailable for sentences previously modified.* The remedy afforded by this rule may not be sought to further reduce or modify any sentence that was previously altered, reduced, or modified by pardon, commutation of sentence, reprieve, remission, or any other act of executive clemency.

(2) This amendment shall take effect on February 1, 2020, and shall apply to any request to modify a habitual criminal sentence under 11 *Del. C.* § 4214(f) filed on or after this effective date, or any request that is pending on this effective date, no matter the stage of proceedings on such pending request.

(3) An original of this Order shall be filed with the Prothonotary for each county.