

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE,	)	
	)	
v.	)	ID Nos. 2406016195
	)	2403012898
MOSES WARREN,	)	
	)	
Defendant.	)	

ORDER

On this 6th day of August, 2026, upon consideration of Moses Warren’s (“Defendant”) *pro se* Motion for Sentence Modification (the “Motion”) made pursuant to Superior Court Rule of Criminal Procedure (“Rule”) 35(b),¹ the sentence imposed upon Defendant, and the record in this case, it appears to the Court that:

1. On May 23, 2025, the Court sentenced Defendant for one count of theft organized retail crime in excess of \$1,500 and one count of burglary.² As modified on June 11, 2025, Defendant was sentenced to 5 years at Level V, suspended after 2 years for 6 months at Level IV DOC Discretion, followed by 1 year at Level III for the theft and 3 years at Level V, suspended after 1 year for Level III for the burglary.³ The Defendant’s probationary sentences are to be served concurrently.⁴

¹ Docket Item (hereinafter “D.I.”) 10 (hereinafter “Mot.”) in Case ID No. 2406016195. All references to the docket herein refer to Case ID No. 2406016195.

² See D.I. 9 (hereinafter “Sentencing Order”).

³ *Id.*

⁴ *Id.*

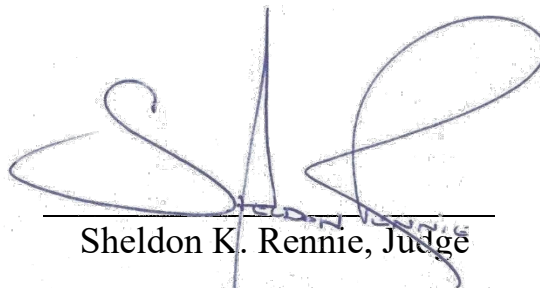
2. On May 19, 2026, Defendant filed the Motion, requesting that the Court modify the probation for his theft charge by removing the Level IV term in favor of an additional 6 months at Level III.⁵ The bases for this request are the limited availability of Level IV space and Defendant's mistaken belief that he was sentenced to serve his Level IV term on home confinement rather than DOC discretion.⁶

3. The Court considers motions for modification of sentence under Rule 35(b). Before addressing the merits of a motion, the Court first considers the applicable procedural bars.⁷ There are no applicable procedural bars, and thus the Court considers the Motion on the merits.

4. The Motion is denied. Defendant's sentence was appropriate at the time of sentencing. The Court imposed the sentence after a thorough review of the crimes committed and the sentencing information available on the record, and the Court declines to recalibrate an appropriate sentence on the bases articulated by Defendant.

5. Accordingly, Defendant's Motion for Sentence Modification is **DENIED.**

IT IS SO ORDERED.



Sheldon K. Rennie, Judge

⁵ Mot. p. 2–3.

⁶ Mot. p. 2.

⁷ *State v. Redden*, 111 A.3d 602, 606 (Del. Super. 2015).