

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JAH'HEAM TAYLOR,	§
	§ No. 5, 2026
Defendant Below,	§
Appellant,	§ Court Below–Superior Court
	§ of the State of Delaware
v.	§
	§ Cr. ID Nos. 2209004727 (K)
STATE OF DELAWARE,	§ 2301008626 (K)
	§
Appellee.	§

Submitted: June 17, 2026
Decided: August 14, 2026

Before **SEITZ**, Chief Justice; **LEGROW** and **GRIFFITHS**, Justices.

ORDER

After consideration of the appellant's opening brief, the appellee's motion to affirm, and the Superior Court record, it appears to the Court that:

(1) Jah'Heam Taylor appeals the Superior Court's order sentencing him for a violation of probation ("VOP"). The State of Delaware has filed a motion to affirm the judgment below because it is manifest from the face of Taylor's opening brief that his appeal is without merit. We agree and affirm.

(2) On August 2, 2023, Taylor resolved two sets of pending criminal charges by pleading guilty to one count of possession of a firearm by a person prohibited ("PFBPP"), one count of drug dealing, and one count of breach of release. The Superior Court immediately sentenced Taylor—in accordance with the plea

agreement—as follows: for PFBPP, 15 years of incarceration, suspended for 18 months of Level III probation; for drug dealing, 8 years of incarceration, suspended for 18 months of Level III probation; and for breach of release, 1 year of incarceration, suspended for 1 year of Level III probation. Taylor did not appeal his convictions or sentence.

(3) In November 2023, the Superior Court found that Taylor had violated the terms of his probation and resentenced him as follows: for PFBPP, 15 years of incarceration, suspended for 18 months of Level III probation with GPS monitoring; for drug dealing, 8 years of incarceration, suspended for 18 months of Level III probation with GPS monitoring; and for breach of release, 1 year of incarceration, suspended for 1 year of Level III probation with GPS monitoring.

(4) On October 14, 2024, Taylor’s probation officer filed an administrative warrant for Taylor’s arrest, alleging that Taylor had violated the terms of his probation because he had (i) incurred new criminal charges on October 13 (specifically, Taylor had been charged with disorderly conduct, menacing, trespassing, and attempted assault on a police officer) and (ii) failed to charge his GPS tracking device. Taylor posted bond, and the VOP hearing scheduled for October 28 was continued pending the disposition of his new charges. On January 5, 2025, Taylor’s probation officer filed an administrative warrant for Taylor’s arrest, alleging that Taylor had again violated the terms of his probation when a

warrant was issued for his arrest for third-degree assault on January 3. Taylor was released on bond, and the VOP hearing scheduled for January 27 was continued pending the disposition of his new charges.

(5) On March 24, 2025, Taylor’s probation officer filed a VOP report, alleging that Taylor had violated the terms of his probation when he was arrested for possession with intent to distribute in Maryland on March 18. Taylor was again released on bond, and the VOP hearing scheduled for April 28 was continued pending the resolution of his new charges. On December 12, 2025, Taylor’s probation officer filed a supplemental VOP report alleging that Taylor had also violated the terms of his probation by leaving New Castle County on 22 occasions and disregarding his curfew on 27 occasions.¹

(6) After Taylor resolved all his pending criminal charges, the Superior Court held a VOP hearing on December 15, 2025. At the hearing, Taylor admitted that he had violated the terms of his probation by committing additional criminal offenses—specifically, criminal trespass in Delaware and a drug-related offense in

¹ This VOP report references an October 27, 2025 court hearing where the Superior Court imposed another special condition of Taylor’s probation: specifically, that Taylor remain in New Castle County. The Superior Court docket reflects that the parties appeared before the court on October 27 and that the VOP hearing was continued to December 15. Because Taylor did not ask for the transcript of the October 27 hearing to be prepared, however, the Court is unable to discern what actually transpired during that hearing.

Maryland.² Taylor also admitted to leaving New Castle County on 22 occasions.³ Finally, Taylor admitted to disregarding his curfew on numerous occasions.⁴ The Superior Court therefore found that Taylor had violated the terms of his probation and resentenced him as follows: for PFBPP, 15 years of incarceration (with credit for 18 days served), suspended after 1 year, followed by 6 months of Level IV probation (DOC discretion) and 18 months of Level III probation with GPS monitoring; for drug dealing, 8 years of incarceration, suspended for 18 months of Level III probation with GPS monitoring; and for breach of release, 1 year of incarceration, suspended for 1 year of Level III probation with GPS monitoring. This appeal followed.

(7) In his opening brief on appeal, Taylor does not argue that he did not violate the terms of his probation. Instead, Taylor claims, among other things, that: (i) he was unaware that he was subject to a curfew, (ii) there is no legal basis to restrict a Level II probationer from moving between counties, (iii) his probation officer misled him into believing that he would not serve Level V time on his VOP,

² Mot. to Affirm, Ex. L at 3:23–4:4 (“JUDGE PRIMOS: Okay. Let me just – Mr. Taylor confirm, are you admitting the violations here? MR. TAYLOR: Yes. I pled guilty to both of those, so I could admit to that.”).

³ *Id.* at 10:9–12 (“JUDGE PRIMOS: Well, okay. Are you admitting that you left New Castle County on all these occasions? MR. TAYLOR: Yes. I do, Your Honor.”).

⁴ *Id.* at 11:6–12 (“JUDGE PRIMOS: Okay. Let’s put that aside. Are you admitting that you violated your curfew numerous times? MR. TAYLOR: There has been times I have made it home late due to rides coming from Kent County to go to my mom’s in New Castle County. Yes. I admit I have been late on curfew.”).

(iv) his probationary term would have expired in May 2025 “had [it] not been for this violation,” and (v) defense counsel and the court neglected to take his status as an unhoused individual into consideration during the VOP proceedings.

(8) Probation is an “act of grace,” and the Superior Court has broad discretion when deciding whether to revoke a defendant’s probation.⁵ The Superior Court need only be reasonably satisfied that “the conduct of the probationer has not been as good as required by the conditions of probation.”⁶ Once the Superior Court has determined that a probationer has violated the terms of his probation, it may impose any period of incarceration up to and including the balance of Level V time remaining on the original sentence.⁷

(9) Taylor’s admission that he committed two other criminal offenses while on probation, in and of itself, was sufficient to support the Superior Court’s finding that Taylor had violated the terms of his probation. And the Superior Court did not impose a sentence in excess of the balance of Level V time remaining on Taylor’s original sentence. In short, there is no basis for reversal here.

⁵ *Kurzmann v. State*, 903 A.2d 702, 716 (Del. 2006).

⁶ *Id.* (citation omitted).

⁷ 11 *Del. C.* § 4334(c); *Pavulak v. State*, 880 A.2d 1044, 1046 (Del. 2005).

NOW, THEREFORE, IT IS HEREBY ORDERED that the motion to affirm is GRANTED and the judgment of Superior Court is AFFIRMED.

BY THE COURT:

/s/ N. Christopher Griffiths
Justice