

SUPERIOR COURT OF THE STATE OF DELAWARE

State v. Handy

State v. Handy · No. I.D. No. 2311012713 · Decided January 7, 2026

SUMMARY

The Delaware Superior Court denied Jeremiah Handy's motion to dismiss the indictment based on alleged prosecutorial misconduct and denied his request for disclosure of the grand jury transcript. The court held that the alleged misrepresentations concerning vehicle data and redactions to body-worn-camera footage did not warrant dismissal, and noted that no grand jury transcript existed for release. The court also denied Handy's motion in limine to exclude the State's collision-reconstruction expert, concluding that the expert's testimony was relevant and sufficiently reliable and that the defendant's challenges could be addressed through cross-examination.

CASE DETAILS

COURT	Superior Court of the State of Delaware
WRITING FOR THE COURT	Mark H. Conner
JURISDICTION	Delaware Superior Court
DECIDED	January 7, 2026
DOCKET	I.D. No. 2311012713
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved before trial to dismiss the indictment for alleged prosecutorial misconduct, release the grand-jury transcript, and exclude the State's accident-reconstruction expert under Delaware Rule of Evidence 702 and Daubert.
STANDARD OF REVIEW	The court assessed whether the alleged prosecutorial misconduct warranted the extraordinary remedy of dismissal, whether disclosure of grand-jury materials was justified in the interests of justice, and whether the proposed expert testimony was relevant and reliable under Delaware Rule of Evidence 702 and Daubert. Challenges to the factual basis, depth of investigation, and credibility of the expert were treated principally as matters for cross-examination unless the expert had neglected the core facts of the case.
PRECEDENTIAL VALUE	Published

TOPICS

criminal procedure

prosecutorial misconduct

grand jury

expert testimony

daubert standard

PRACTICE AREAS

criminal procedure

criminal evidence

constitutional criminal procedure

expert testimony

QUESTIONS PRESENTED

1. Whether alleged prosecutorial misconduct involving representations about braking evidence and redacted or modified body-worn-camera footage warranted dismissal of the indictment.
2. Whether the defendant was entitled to release of a grand-jury transcript or other grand-jury materials.
3. Whether the State's accident-reconstruction expert, Senior Corporal Smith, should be excluded under Delaware Rule of Evidence 702 and Daubert because of credibility concerns, insufficient factual knowledge, or unreliable principles and methods.

HOLDINGS

1. Dismissal of the indictment was unwarranted because the State's conduct, although described as slipshod and not condoned, did not rise to the level of misconduct requiring the extreme remedy of dismissal, and the defendant did not establish prejudice requiring that remedy.
2. The request to release the grand-jury transcript was denied because no transcript existed and, in any event, the defendant had not shown grounds suggesting that disclosure was necessary to support dismissal of the indictment or otherwise required in the interests of justice.
3. Senior Corporal Smith's testimony was relevant and reliable under Delaware Rule of Evidence 702 and Daubert and would not be excluded.

KEY QUOTATIONS

"Dismissing the indictment is not a remedy tailored to the facts of this case." (at 9-10)

"Despite references in court rules to recordings, transcripts, and the presence of stenographers at a grand jury meeting, grand jury proceedings have not been recorded in Delaware in living memory." (at 11)

"Delaware Courts have held that a "proponent need to show only by a preponderance of the evidence that its expert's opinions are reliable[,] not that they are correct."" (at 16)

"An expert's testimony will only be excluded in the narrow circumstance that the expert has completely neglected the core facts of the case." (at 23-24)

FACTUAL BACKGROUND

According to residential and school video footage, Gabriel Dorman and Ryan Wilkerson arrived at Handy's residence on November 24, 2023, twice threw objects at the home, and drove away on a 2010 Honda ATV. Handy then left in a 2020 Mercedes-Benz SUV; when Dorman and Wilkerson returned and drove through the lawn onto the roadway, Handy's vehicle collided with the rear of the ATV at approximately 97 miles per hour. Dorman was ejected, landed approximately 334 feet from the impact point, and died at the scene; Wilkerson suffered multiple injuries.

PROCEDURAL HISTORY

Jeremiah Handy was charged with first-degree murder, attempted first-degree murder, two counts of possession of a deadly weapon during the commission of a felony, and possession of a deadly weapon by a person prohibited. Before trial, he filed a motion to dismiss the indictment, alternatively sought release of the grand-jury transcript, and moved in limine to exclude Senior Corporal Smith's expert testimony. The Superior Court denied all three motions and left the case scheduled for trial.

DISPOSITION

other

CASES CITED

- State v. MacColl, 2022 WL 2388397, at *2 (Del. Super. Ct. 2022), aff'd, 312 A.3d 674 (Del. 2024)
- State v. Taylor, 2022 WL 2374299, at *1, *6 (Del. Super. Ct. 2022)
- State v. Robinson, 209 A.3d 25, 29, 59-60 (Del. 2019)
- Bailey v. State, 521 A.2d 1069, 1084 (Del. 1987)
- State v. Freeman, 2023 WL 2879321, at *2-3 (Del. Super. Ct. 2023)
- State v. Ponzo, 302 A.3d 1006, 1011 (Del. Super. Ct. 2023)
- State v. Cooper, 2024 WL 1093259, at *2 (Del. Super. Ct. 2024)
- McLeod v. McLeod, 2015 WL 854299, at *1-6 (Del. Super. Ct. 2015)
- State v. McMullen, 900 A.2d 103, 106, 111, 113, 119 (Del. Super. Ct. 2006)
- Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993)
- Perry v. Berkley, 996 A.2d 1262, 1265, 1270-71 (Del. 2010)
- State v. Dale, 2021 WL 5232344, at *3-6 (Del. Super. Ct. 2021), aff'd, 301 A.3d 1194 (Del. 2023)
- Henlopen Hotel, Inc. v. United National Insurance Co., 2020 WL 233333, at *4 (Del. Super. Ct. 2020)
- Smack-Dixon v. Wal-Mart, Inc., 2021 WL 3012056, at *6 (Del. Super. Ct. 2021)