

SUPERIOR COURT OF THE STATE OF DELAWARE

State v. Clark

Clark · No. I.D. No. 2305013446 · Decided March 26, 2026

SUMMARY

The Delaware Superior Court denied Thomas R. Clark’s motion under Superior Court Criminal Rule 35(a) to correct an allegedly illegal sentence. The court held that Clark’s negotiated guilty-plea sentence was not enhanced, fell within the statutory ranges, and did not implicate the jury-factfinding rule discussed in Erlinger v. United States. The order was entered on March 26, 2026.

CASE DETAILS

COURT	Superior Court of the State of Delaware
JURISDICTION	Delaware Superior Court
DECIDED	March 26, 2026
DOCKET	I.D. No. 2305013446
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Delaware Superior Court Criminal Rule 35(a) to correct an allegedly illegal sentence, asserting that Erlinger v. United States required jury findings for facts affecting his sentence and that his sentence was illegally enhanced.
STANDARD OF REVIEW	The court reviewed whether the sentence was illegal and whether the defendant demonstrated grounds for correction under Rule 35(a).
PRECEDENTIAL VALUE	Published Delaware Superior Court order
PARTIES	State of Delaware v. Thomas R. Clark

TOPICS

- post-conviction relief
- sentence modification
- sentencing
- criminal procedure

PRACTICE AREAS

- criminal procedure
- post-conviction relief
- sentencing

QUESTIONS PRESENTED

1. Whether Clark's sentence was illegal because facts affecting the sentence were not presented to and found by a jury.
2. Whether Clark's sentence was illegally enhanced within the meaning of Rule 35(a).
3. Whether *Erlinger v. United States* applied to Clark's sentence.

HOLDINGS

1. Because Clark pleaded guilty and his sentence was not subject to any sentencing enhancement, no additional facts affecting the sentence remained to be presented to a jury.
2. Clark's sentence was not illegally enhanced because no enhancement was applied and the sentence fell within the standard statutory ranges for the offenses to which he pleaded guilty.
3. *Erlinger v. United States* did not apply to Clark's sentence because Clark's sentence did not involve a sentencing enhancement.

KEY QUOTATIONS

“As Mr. Clark’s sentence was not subject to any enhancements, there were no facts affecting his sentence remaining to be presented to a jury.” (3)

“Accordingly, his motion under Rule 35(a) is DENIED.” (4)

FACTUAL BACKGROUND

Clark pleaded guilty to possession of firearm ammunition by a person prohibited and carrying a concealed firearm. As part of a negotiated plea agreement, he and the State jointly recommended an aggregate sentence of sixteen years at supervision level V, suspended after seven years at supervision level V, followed by descending levels of probation. The sentencing court imposed the recommended sentence, and the opinion states that no sentencing enhancement was applied and that the sentence fell within the standard statutory ranges.

PROCEDURAL HISTORY

Clark pleaded guilty to possession of firearm ammunition by a person prohibited and carrying a concealed deadly weapon, a firearm, on September 24, 2024. The parties jointly recommended an aggregate sentence of sixteen years at supervision level V, suspended after seven years at supervision level V, followed by descending levels of probation, and the court imposed that sentence on October 1, 2024. Clark filed his Rule 35(a) motion on March 2, 2026; the Superior Court denied it.

DISPOSITION

other

CASES CITED

- *Erlinger v. United States*, 602 U.S. 921 (2024)
- *Hopkins v. State*, 309 A.3d 423 (Del. 2023) (TABLE)

- Phillips v. State, 2025 WL 1693652, at *2 (Del. June 16, 2025) (TABLE)

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