

SUPREME COURT OF THE STATE OF DELAWARE

Bryan v. State

No. 101, 2025 (Del. Mar. 20, 2026) · No. No. 101, 2025 · Decided March 20, 2026

SUMMARY

The Delaware Supreme Court affirmed Andre Bryan’s convictions for second-degree rape and related felony sexual offenses. The Court held that the trial court’s requirement that Bryan testify entirely through a Spanish interpreter was not plain error because the issue was unpreserved and no material prejudice was shown. The Court also held that the Superior Court did not abuse its discretion in denying severance of charges involving two complainants because the evidence was sufficiently cross-admissible under the Getz framework.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Abigail M. LeGrow; Valihura, Justice; LeGrow, Justice; Griffiths, Justice
JURISDICTION	Supreme Court of the State of Delaware
DECIDED	March 20, 2026
DOCKET	No. 101, 2025
DISPOSITION	affirmed
PROCEDURAL POSTURE	Bryan appealed his Superior Court judgment of conviction for second-degree rape and related felony sexual offenses, challenging the trial court's handling of interpreter-mediated testimony and denial of his motion to sever charges involving two complainants.
STANDARD OF REVIEW	The interpreter claim was reviewed for plain error because Bryan did not preserve it by objection. The denial of severance was reviewed for abuse of discretion and would not be disturbed absent an adequate showing of prejudice.
PRECEDENTIAL VALUE	Published Delaware Supreme Court opinion; precedential value presumed from the published designation in the source metadata.
PARTIES	Andre Bryan v. State of Delaware

TOPICS

criminal procedure

evidence

appellate procedure

preservation of error

standard of review

PRACTICE AREAS

criminal procedure

evidence

appellate procedure

QUESTIONS PRESENTED

1. Whether the Superior Court plainly erred by requiring Bryan to testify exclusively through a Spanish interpreter after he elected to use an interpreter.
2. Whether the Superior Court inadequately explained its denial of Bryan's motion to sever by ruling from the bench before issuing a later written memorandum opinion.
3. Whether the Superior Court abused its discretion by denying severance of the charges involving the two complainants where the evidence was cross-admissible under Delaware Rule of Evidence 404(b).

HOLDINGS

1. The trial court's interpreter ruling did not constitute plain error warranting relief because Bryan failed to identify binding authority establishing a right to alternate between English and interpreter-mediated testimony and failed to show clear prejudice to his substantial rights.
2. The Superior Court did not commit reversible error by ruling from the bench before trial and later issuing a written memorandum opinion because it stated the essential bases for its decision at the hearing, and Bryan identified no concrete prejudice caused by the later written explanation.
3. The Superior Court acted within its discretion in denying severance because the evidence concerning the two alleged episodes was cross-admissible under Delaware Rule of Evidence 404(b), and Bryan failed to show unfair prejudice.

KEY QUOTATIONS

“Plain error is limited to “material defects” that are “basic, serious and fundamental,” and an error warrants relief only if it is “so clearly prejudicial to substantial rights as to jeopardize the fairness and integrity of the trial process.”” (at 2)

“Under Getz, other-acts evidence is admissible only if: (1) it is material to an issue or ultimate fact in dispute; (2) it is offered for a purpose sanctioned by D.R.E. 404(b), and not to show propensity; (3) it is proved by evidence that is plain, clear, and conclusive; (4) it is not too remote in time; (5) its probative value is not substantially outweighed by the danger of unfair prejudice under D.R.E. 403; and (6) the trial court gives a limiting instruction upon request.” (at 7)

“Delaware applies no bright-line cutoff; remoteness turns on whether there is a “visible, plain, or necessary connection” between the acts and the proposition to be proved.” (at 9)

FACTUAL BACKGROUND

Bryan, a Cuban-born United States citizen and non-native English speaker, was accused of sexually abusing two minor sisters during separate visits to their family's home in approximately 2010 or 2011 and 2014 or 2015.

Before trial, the Superior Court advised that if Bryan testified with an interpreter, he would have to testify entirely in Spanish. At trial, after Bryan initially answered some questions in English, the court required him to answer through the interpreter. The charges involving both complainants were tried together, and the Superior Court denied Bryan's request for severance based on the similarities between the alleged episodes.

PROCEDURAL HISTORY

A Superior Court grand jury indicted Bryan on August 28, 2023, charging offenses involving two minor sisters in a single indictment and proceeding. The Superior Court denied Bryan's motion for relief from prejudicial joinder, first from the bench on July 8, 2024, and later in a written memorandum opinion dated October 9, 2024. After trial and conviction, Bryan appealed; the Delaware Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Small v. State, 51 A.3d 452, 456 (Del. 2012)
- Wainwright v. State, 504 A.2d 1096, 1100 (Del. 1986)
- Suber v. State, __ A.3d __, 2026 WL 184867, at *5 (Del. Jan. 15, 2026)
- Holden v. State, 23 A.3d 843, 846-47 (Del. 2011)
- Husband M v. Wife D, 399 A.2d 847, 848 (Del. 1979)
- State v. McMullen, 2020 WL 58529, at *1 (Del. Super. Jan. 3, 2020)
- State v. Johnson, 2011 WL 4908637, at *1 (Del. Super. Oct. 5, 2011)
- Wiest v. State, 542 A.2d 1193, 1195 & n.3 (Del. 1988)
- Bates v. State, 386 A.2d 1139, 1142 (Del. 1978)
- Getz v. State, 538 A.2d 726, 734-35 (Del. 1988)
- Wood v. State, 956 A.2d 1228, 1230-33 (Del. 2008)
- Renzi v. State, 320 A.2d 711, 712 (Del. 1974)
- Kendall v. State, 726 A.2d 1191, 1195-96 (Del. 1999)
- Skinner v. State, 575 A.2d 1108, 1118 (Del. 1990)