

SUPREME COURT OF THE STATE OF DELAWARE

Finney v. State

No. 282, 2024 · No. No. 282, 2024 · Decided January 28, 2026

SUMMARY

The Delaware Supreme Court affirmed Artezz Finney’s conviction for possession of a firearm by a person prohibited. The court held that Finney waived appellate review of Fourth Amendment challenges to the vehicle stop and inventory search because those grounds were not raised in his pretrial suppression motion. The court declined to conduct plain-error review because the evidentiary record was underdeveloped as a result of the default.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Chief Justice Seitz; Justice Valihura; Justice Traynor; Justice Legrow; Justice Griffiths
JURISDICTION	Supreme Court of the State of Delaware
DECIDED	January 28, 2026
DOCKET	No. 282, 2024
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a conviction for possession of a firearm by a person prohibited. The appellant raised Fourth Amendment suppression arguments for the first time on appeal after the Superior Court had considered only a Fifth Amendment Miranda-based suppression motion.
STANDARD OF REVIEW	Appellate review of suppression claims is generally unavailable when the issue was not raised in a pretrial motion to suppress under Superior Court Criminal Rule 12, absent limited circumstances. The court declined plain-error review because the procedural default left the evidentiary record underdeveloped and unfairly deprived the State of an opportunity to develop the record.
PRECEDENTIAL VALUE	Published, en banc Delaware Supreme Court opinion
PARTIES	Artezz Finney v. State of Delaware

TOPICS

suppression of evidence

fourth amendment

preservation of error

appellate procedure

criminal procedure

PRACTICE AREAS

criminal procedure

appellate procedure

constitutional law

evidence

QUESTIONS PRESENTED

1. Whether Finney's Fourth Amendment challenge to the officers' stop of his vehicle was waived because it was not raised in his pretrial motion to suppress.
2. Whether Finney's Fourth Amendment challenge to the inventory search was waived because it was not raised in his pretrial motion to suppress.
3. Whether the Supreme Court should review the newly raised Fourth Amendment claims for plain error.

HOLDINGS

1. A defendant who files a suppression motion narrowly focused on a Miranda violation waives appellate review of separate Fourth Amendment claims concerning the vehicle stop and inventory search when those claims were not raised in the pretrial motion.
2. The court will not engage in plain-error review when the defendant's failure to raise the suppression grounds before trial effectively prevented the State from developing an evidentiary record relevant to those grounds.

KEY QUOTATIONS

“For the reasons we recently set forth in Swanson, we conclude that Finney has waived appellate review of his Fourth Amendment claims.” (5)

“Were we to proceed in this manner, the unfairness to the State would be manifest. Hence, we decline to do so.” (6)

FACTUAL BACKGROUND

Police officers observed Finney seated in the driver's seat of a parked vehicle holding a silver firearm. After officers approached with weapons drawn, an officer asked where the gun was, and Finney gestured toward the rear of the vehicle and made additional statements. An inventory search at the police department located a silver firearm behind the driver's seat. Finney was charged with possession of a firearm and ammunition by a person prohibited, convicted of the firearm charge, and sentenced to incarceration followed by probation.

PROCEDURAL HISTORY

Finney moved before trial to suppress statements and physical evidence solely on the ground that police questioning violated the Fifth Amendment and Miranda. The Superior Court suppressed one statement but denied suppression of Finney's response concerning the gun and the firearm recovered during an inventory search. A jury convicted Finney of possession of a firearm by a person prohibited, and the Superior Court imposed a sentence of 15 years at Level V, suspended after 10 years for supervised probation. On appeal, Finney

asserted that the vehicle stop lacked reasonable suspicion and that the inventory search violated police procedures; the Supreme Court held those claims waived and affirmed.

DISPOSITION

affirmed

CASES CITED

- Miranda v. Arizona, 384 U.S. 436 (1966)
- Gregory v. State, 616 A.2d 1198, 1200-01 (Del. 1992)
- Swanson v. State, 2025 WL 3778943 (Del. Dec. 31, 2025)
- Suber v. State, 2026 WL 184867, at *4 (Del. Jan. 15, 2026)

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