

SUPREME COURT OF THE STATE OF DELAWARE

Shamar T. Stanford v. State

No. 499, 2017 (Del. May 15, 2018) · No. No. 499, 2017 · Decided May 15, 2018

SUMMARY

The Delaware Supreme Court affirmed the Superior Court’s denial of Shamar T. Stanford’s motion for postconviction relief and request for appointed counsel. The court held that the appeal was without merit and affirmed based on the Superior Court’s decisions addressing Stanford’s ineffective-assistance, guilty-plea, sentencing, search-and-seizure, and suppression-motion claims.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Leo E. Strine, Jr., Chief Justice; Karen L. Valihura, Justice; James T. Vaughn, Jr., Justice
JURISDICTION	Delaware
DECIDED	May 15, 2018
DOCKET	No. 499, 2017
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Superior Court of Delaware's denial of a motion for postconviction relief and request for appointment of counsel under Superior Court Criminal Rule 61; the State moved to affirm.
STANDARD OF REVIEW	The denial of postconviction relief is reviewed for abuse of discretion, while questions of law are reviewed de novo.
PRECEDENTIAL VALUE	Published Delaware Supreme Court order; precedential value not otherwise specified in the opinion.
PARTIES	Shamar T. Stanford v. State of Delaware

TOPICS

- post-conviction relief
- ineffective assistance
- suppression of evidence
- appellate procedure
- criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Superior Court properly denied Stanford's motion for postconviction relief under Superior Court Criminal Rule 61.
2. Whether Stanford was entitled to appointment of counsel for his postconviction proceedings.
3. Whether the appeal was plainly without merit such that the State's motion to affirm should be granted.

HOLDINGS

1. A Delaware appellate court reviews the denial of postconviction relief for abuse of discretion and reviews questions of law de novo.
2. The Superior Court's denial of Stanford's motion for postconviction relief and request for appointment of counsel was affirmed.

KEY QUOTATIONS

“We review the Superior Court’s denial of postconviction relief for abuse of discretion and questions of law de novo.” ((6))

“Having carefully considered the parties’ submissions on appeal and the Superior Court record—including an affidavit filed by Stanford’s former trial counsel in response to the allegations of ineffectiveness—we affirm the denial of Stanford’s motion for postconviction relief and request for counsel on the basis of the Superior Court’s well-reasoned decisions of June 7, 2017 and August 28, 2017.” ((6))

FACTUAL BACKGROUND

Stanford was indicted for possession of a firearm by a person prohibited, endangering the welfare of a child, and three drug offenses. His trial counsel filed a pretrial suppression motion, which the Superior Court denied. Stanford then pleaded guilty to the firearm and child-welfare charges in exchange for dismissal of the remaining charges and received a sixteen-year Level V sentence, including a five-year minimum mandatory term.

PROCEDURAL HISTORY

Stanford pleaded guilty to possession of a firearm by a person prohibited and endangering the welfare of a child and received a total sentence of sixteen years at Level V incarceration, with the balance suspended for probation. He did not file a direct appeal, but later filed motions and a postconviction motion challenging his plea, sentence, counsel's effectiveness, and the denial of a suppression motion. The Superior Court denied or dismissed the claims and denied appointment of counsel. The Delaware Supreme Court granted the State's motion to affirm and affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Stanford, 2017 WL 2484588 (Del. Super. June 7, 2017)
- State v. Stanford, 2017 WL 3706959 (Del. Super. Aug. 28, 2017)
- Dawson v. State, 673 A.2d 1186, 1190 (Del. 1996)

OPINION

PER CURIAM.

IN THE SUPREME COURT OF THE STATE OF DELAWARE SHAMAR T. STANFORD, § § No. 499, 2017 Defendant Below, § Appellant, § Court Below: Superior Court of the § State of Delaware v. § § Cr. ID No. 1511011810 (N) STATE OF DELAWARE, § § Plaintiff Below, § Appellee. § Submitted: February 26, 2018 Decided: May 15, 2018 Before STRINE, Chief Justice; VALIHURA and TRAYNOR, Justices.

ORDER (1) The appellant, Shamar T. Stanford, has appealed the Superior Court’s order of June 7, 2017,¹ and supplemental order of August 28, 2017,² denying his motion for postconviction relief and request for the appointment of counsel under Superior Court Criminal Rule 61.

The appellee, State of Delaware, has moved to affirm the judgment of the Superior Court on the ground that it is manifest on the face of Stanford’s opening and supplemental opening briefs that the appeal is without merit. 1 State v. Stanford, 2017 WL 2484588 (Del. Super. June 7, 2017). 2 State v. Stanford, 2017 WL 3706959 (Del. Super. Aug. 28, 2017).

(2) In January 2016, Stanford was indicted for Possession of a Firearm by a Person Prohibited (“PFBPP”), Endangering the Welfare of a Child, and three drug offenses. During pre-trial proceedings, Stanford’s trial counsel filed a motion to suppress, which was denied on December 2, 2016.

(3) On December 12, 2016, Stanford pleaded guilty to two charges in the indictment—PFBPP and endangering the welfare of a child—and was sentenced to a total of sixteen years of Level V incarceration, including a five-year minimum mandatory term, with the balance suspended for probation.

In exchange for the guilty plea, the State agreed to dismiss the other charges in the indictment. (4) Stanford did not file a direct appeal from the guilty plea or sentence. He did, however, file a series of letters and motions—including a motion for postconviction relief—attacking the validity of his guilty plea and sentence, the effectiveness of his trial counsel, and the Superior Court’s denial of the pre-trial suppression motion.

(5) In his postconviction motion as amended in April and May 2017, Stanford raised overlapping claims of illegal search and seizure, police perjury, ineffective assistance of counsel, unfulfilled plea agreement, and involuntary guilty plea. Also, Stanford requested the appointment of counsel.

The Superior Court denied the merit of Stanford's ineffective assistance of counsel claims, and dismissed those claims under Rule 61(d), and determined that Stanford's challenges 2 to the guilty plea, the sentence imposed, and the pre-trial suppression ruling, were procedurally barred under Rule 61(i)(3), (4), and (5).

(6) We review the Superior Court's denial of postconviction relief for abuse of discretion and questions of law de novo.³ Having carefully considered the parties' submissions on appeal and the Superior Court record—including an affidavit filed by Stanford's former trial counsel in response to the allegations of ineffectiveness—we affirm the denial of Stanford's motion for postconviction relief and request for counsel on the basis of the Superior Court's well-reasoned decisions of June 7, 2017 and August 28, 2017.

NOW, THEREFORE, IT IS ORDERED that the motion to affirm is GRANTED. The judgment of the Superior Court is AFFIRMED. BY THE COURT: /s/ Leo E. Strine, Jr. Chief Justice 3 Dawson v. State, 673 A.2d 1186, 1190 (Del. 1996). 3