

SUPREME COURT OF THE STATE OF DELAWARE

Gieck v. State

No. 180, 2025 · No. No. 180, 2025 · Decided March 18, 2026

SUMMARY

The Delaware Supreme Court considered an appeal from the denial of Christopher Michael Gieck’s petition for discretionary expungement. Relying on Cornette v. State, the Court held that expungement eligibility for pardoned convictions is assessed on a charge-by-charge basis, so the presence of an ineligible DUI conviction did not automatically bar expungement of the pardoned aggravated-menacing and firearm-related convictions. The Court affirmed in part, reversed in part, and remanded for the Superior Court to determine whether Gieck demonstrated manifest injustice regarding the eligible convictions.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	N. Christopher Griffiths; Chief Justice Seitz; Justice Legrow; Justice Griffiths
JURISDICTION	Supreme Court of the State of Delaware
DECIDED	March 18, 2026
DOCKET	No. 180, 2025
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from the Superior Court's denial of a petition for discretionary expungement.
STANDARD OF REVIEW	The Supreme Court reviewed the Superior Court's statutory interpretation and expungement-eligibility determinations on appeal; the order does not state a more specific standard of review.
PRECEDENTIAL VALUE	Published Delaware Supreme Court opinion; precedential.
PARTIES	Christopher Michael Gieck v. State of Delaware

TOPICS

- statutory interpretation
- legislative intent
- plain meaning rule
- appellate procedure
- post-conviction relief

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether eligibility for discretionary expungement of a pardoned conviction under 11 Del. C. § 4375 is determined on a charge-by-charge basis.
2. Whether the presence of a non-expungable DUI conviction in the same case automatically bars expungement of otherwise eligible pardoned convictions.
3. Whether the Superior Court erred in concluding that there was no basis to consider expungement of the reckless-driving conviction because other convictions remained ineligible or unexpunged.

HOLDINGS

1. Expungement eligibility for a pardoned crime under Section 4375 is reviewed on a charge-by-charge basis.
2. The presence of a Title 21 charge within a case does not automatically bar expungement of an eligible pardoned conviction.
3. The Superior Court erred in finding that there was no basis for expungement of the reckless-driving conviction; the court must determine on remand whether Gieck satisfied the manifest-injustice requirement under Section 4374(f).

KEY QUOTATIONS

“The statute states that an order may apply to any record “relating to a case” or “any charge in that case.” The use of this language ensures that all potentially relevant records are identified. The actual expungement of records, however, may be limited to records pertaining to the expunged conviction.” (at 3-4)

“Past practices and implementation hurdles do not justify ignoring the plain meaning of a statute and the legislature’s intent.” (at 4)

FACTUAL BACKGROUND

In 2008, Gieck pleaded guilty to reckless driving. In 2017, he pleaded guilty to aggravated menacing, possession of a firearm while intoxicated, and driving under the influence. He later received unconditional pardons for the aggravated-menacing and PFUI convictions and sought discretionary expungement of the convictions, but the Superior Court denied relief because the DUI conviction was not expungable and it viewed the convictions as not severable for expungement purposes.

PROCEDURAL HISTORY

Gieck pleaded guilty to reckless driving in 2008 and later pleaded guilty to aggravated menacing, possession of a firearm while intoxicated, and driving under the influence in 2017. After receiving pardons for the aggravated-menacing and PFUI convictions, he petitioned for discretionary expungement under 11 Del. C. §§ 4374 and 4375. The Superior Court denied the petition, concluding that the DUI conviction was ineligible and that the

presence of that conviction barred partial expungement of the other convictions. The Supreme Court affirmed in part, reversed in part, and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Superior Court must determine whether Gieck satisfied his burden of showing manifest injustice under 11 Del. C. § 4374(f), if his petition for expungement is not granted. The judgment was affirmed in part and reversed in part, and jurisdiction was not retained.

CASES CITED

- Cornette v. State, 2026 WL 309253 (Del. Feb. 5, 2026)