

SUPERIOR COURT OF THE STATE OF DELAWARE

State v. Bordley

State v. Bordley · No. I.D. No. 1604019780 · Decided March 30, 2026

SUMMARY

The Delaware Superior Court grants Daiquan Bordley’s motion for postconviction relief. The court concludes that trial counsel provided constitutionally deficient advice by recommending a bench trial based on counsel’s asserted social relationship with the trial judge, thereby improperly influencing Bordley’s waiver of his right to a jury trial. The court rejects the Commissioner’s contrary report after conducting de novo review.

CASE DETAILS

COURT	Superior Court of the State of Delaware
WRITING FOR THE COURT	GREEN-STREETT, J.
JURISDICTION	Delaware Superior Court
DECIDED	March 30, 2026
DOCKET	I.D. No. 1604019780
DISPOSITION	granted
PROCEDURAL POSTURE	Defendant appealed from a Commissioner's report and recommendation denying his amended motion for postconviction relief. The Superior Court conducted de novo review, rejected the Commissioner's report, and granted the amended motion.
STANDARD OF REVIEW	The Court conducted de novo review of the portions of the Commissioner's report to which objections were made under Superior Court Criminal Rule 62(a)(5)(iv). Ineffective-assistance claims were analyzed under Strickland's two-part performance-and-prejudice test.
PRECEDENTIAL VALUE	published
PARTIES	Daiquan Bordley v. State of Delaware

TOPICS

- state post-conviction relief
- ineffective assistance
- sixth amendment
- right to counsel
- criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Commissioner's report and recommendation applied an incorrect legal standard by conflating Superior Court Criminal Rule 61(i)(3)'s procedural-default requirements with the Strickland ineffective-assistance analysis.
2. Whether trial counsel rendered ineffective assistance by advising Bordley to waive his constitutional right to a jury trial based on counsel's alleged social relationship with the trial judge and the prospect of favorable rulings.
3. Whether trial counsel rendered ineffective assistance by failing to introduce cooperation agreements that could have impeached two key codefendant witnesses.

HOLDINGS

1. The Commissioner incorrectly conflated Rule 61(i)(3)'s procedural-default requirements with the Strickland analysis, and the Superior Court therefore rejected that portion of the report and conducted its own de novo analysis.
2. Trial counsel provided objectively unreasonable assistance by advising Bordley to waive a jury trial because counsel's social relationship with the trial judge would allegedly produce favorable rulings. Bordley established prejudice because, absent that advice, there was a reasonable probability he would have exercised his right to a jury trial.
3. Trial counsel performed deficiently by failing to introduce the cooperation agreements of two key codefendant witnesses based on the mistaken belief that the bench-trial judge could consider the agreements outside the trial record. Bordley established prejudice because there was a reasonable probability that further impeachment of the witnesses would have affected the verdict.

KEY QUOTATIONS

“As trial counsel’s representation fell below an objective standard of reasonableness and deprived the defendant of the ability to exercise his constitutional right to a jury trial, the Motion for Postconviction Relief is GRANTED.” (at 1)

“Either way, Trial Counsel’s representation fell short of reasonable, and affected Mr. Bordley’s ability to make an intelligent waiver of that right.” (at 25)

“Trial Counsel gave improper advice to Mr. Bordley based on Trial Counsel’s suggestion that his social relationship with the trial judge would induce favorable rulings.” (at 35)

FACTUAL BACKGROUND

Bordley was charged with first-degree murder, robbery, possession of a firearm during the commission of a felony, and conspiracy arising from the shooting death of Dontray Hendricks. Before trial, Bordley's trial counsel allegedly advised him to waive a jury trial because counsel had a social relationship with the trial judge and could obtain more favorable rulings or admission of evidence. Bordley proceeded to a bench trial and was

convicted on all counts. At the postconviction evidentiary hearing, Bordley and two investigators testified that counsel recommended a bench trial based on the claimed relationship, while counsel denied making that representation. The court also found that counsel failed to introduce cooperation agreements of two key codefendant witnesses, impairing the defense's ability to challenge their credibility.

PROCEDURAL HISTORY

A grand jury indicted Bordley on first-degree murder and related charges. After a bench trial, the Superior Court convicted him on all counts, and the Delaware Supreme Court affirmed on direct appeal. Bordley filed postconviction motions alleging ineffective assistance of trial counsel; after amendments, appointment of new postconviction counsel, an evidentiary hearing, and a Commissioner's recommendation to deny relief, Bordley appealed the recommendation. The Superior Court granted postconviction relief after de novo review.

DISPOSITION

granted

CASES CITED

- Bordley v. State, 224 A.3d 575 (Del. 2020) (TABLE)
- Bordley v. State, 277 A.3d 1257 (Del. 2022) (TABLE)
- Younger v. State, 580 A.2d 552, 554 (Del. 1990)
- State v. Stanford, 2017 WL 2484588, at *2 (Del. Super. June 7, 2017)
- State v. Coverdale, 2018 WL 259775, at *2 (Del. Super. Jan. 2, 2018)
- State v. Smith, 2017 WL 2930930, at *1 (Del. Super. July 7, 2017)
- Strickland v. Washington, 466 U.S. 668, 687-88 (1984)
- Green v. State, 238 A.3d 160, 174-75 (Del. 2020)
- State v. Drummond, 2002 WL 524283, at *1 (Del. Super. Apr. 1, 2002), aff'd, 803 A.2d 427 (Del. 2002)
- Roe v. Flores-Ortega, 528 U.S. 470, 481 (2000)
- Wheeler v. State, 296 A.3d 363, 376-77 (Del. 2023)
- Vickers v. Superintendent Graterford SCI, 858 F.3d 841 (3d Cir. 2017)
- Bland v. State, 263 A.2d 286, 289 (Del. 1970)
- State v. Bordley, 2018 WL 3966456, at *1-2 (Del. Super. Aug. 15, 2018), aff'd, 224 A.3d 575 (Del. 2020)
- Starling v. State, 130 A.3d 316, 325 (Del. 2015)
- Matter of Beauregard, 189 A.3d 1236 (Del. 2018)
- In the Matter of a Member of the Bar of the Supreme Court of Delaware: Andre M. Beauregard, Respondent, 291 A.3d 192 (Del. 2023)
- Scott v. State, 326 A.3d 653 (Del. 2024)