

SUPREME COURT OF THE STATE OF DELAWARE

Ushler v. State

No. 327, 2025 · No. No. 327, 2025 · Decided December 30, 2025

SUMMARY

The Delaware Supreme Court affirmed the Superior Court’s denial of William R. Ushler’s first motion for postconviction relief under Superior Court Criminal Rule 61. The court granted the State’s motion to affirm and held that Ushler’s motion to recuse a deputy attorney general was moot.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Chief Justice Seitz; Justice Valihura; Justice Traynor
JURISDICTION	Supreme Court of the State of Delaware
DECIDED	December 30, 2025
DOCKET	No. 327, 2025
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Superior Court's denial of the appellant's first motion for postconviction relief under Superior Court Criminal Rule 61; the State moved to affirm, and the appellant moved to recuse a deputy attorney general.
PRECEDENTIAL VALUE	Published per curiam order; precedential status is identified as published in the source metadata.
PARTIES	William R. Ushler v. State of Delaware

TOPICS

- post-conviction relief
- appellate procedure
- criminal procedure
- mootness

PRACTICE AREAS

- criminal procedure
- postconviction relief
- appellate procedure

QUESTIONS PRESENTED

- Whether the Superior Court's denial of Ushler's first motion for postconviction relief should be affirmed.
- Whether Ushler's motion to recuse a deputy attorney general should be granted.

HOLDINGS

1. The Superior Court's judgment denying Ushler's first motion for postconviction relief is affirmed on the basis of the Superior Court's July 9, 2025 order.
2. The motion to recuse the deputy attorney general is moot because the deputy attorney general did not file or appear on the State's motion to affirm.

KEY QUOTATIONS

“NOW, THEREFORE, IT IS ORDERED that motion to affirm is GRANTED and the judgment of the Superior Court is AFFIRMED. The motion for recusal is moot.” (2)

FACTUAL BACKGROUND

Ushler sought postconviction relief in the Superior Court under Criminal Rule 61. The Superior Court denied his first motion for postconviction relief, and Ushler appealed while also seeking recusal of a deputy attorney general who had not filed or appeared on the State's motion to affirm.

PROCEDURAL HISTORY

The Superior Court denied Ushler's first motion for postconviction relief in an order dated July 9, 2025. On appeal, the Delaware Supreme Court granted the State's motion to affirm and affirmed the Superior Court judgment; it also held the recusal motion moot.

DISPOSITION

affirmed

CASES CITED

- State v. Ushler, 2025 WL 1898104 (Del. Super. Ct. July 9, 2025)

OPINION

PER CURIAM.

IN THE SUPREME COURT OF THE STATE OF DELAWARE WILLIAM R. USHLER, § § Defendant Below, § No. 327, 2025 Appellant, § § Court Below—Superior Court v. § of the State of Delaware § STATE OF DELAWARE, § Cr. ID No. 2204009600 (N) § Appellee. § Submitted: November 5, 2025 Decided: December 30, 2025 Before SEITZ, Chief Justice; VALIHURA and TRAYNOR, Justices. ORDER After careful consideration of the appellant’s opening brief and motion for recusal, the appellee’s motion to affirm, and the record on appeal, we conclude that the judgment below should be affirmed on the basis of the Superior Court’s order, dated July 9, 2025, denying the appellant’s first motion for postconviction relief under Superior Court Criminal Rule 61.1 The appellant’s motion to recuse a deputy attorney general who did not file or appear on the appellee’s motion to affirm is moot.

1 State v. Ushler, 2025 WL 1898104 (Del. Super. Ct. July 9, 2025). NOW, THEREFORE, IT IS
ORDERED that motion to affirm is GRANTED and the judgment of the Superior Court is
AFFIRMED. The motion for recusal is moot. BY THE COURT: /s/ Karen L. Valihura Justice 2

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