



IN THE SUPREME COURT OF THE STATE OF DELAWARE

CHRISTOPHER WHEELER,	§
	§
Defendant Below-	§ No. 205, 2015
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 1310019248
Plaintiff Below-	§
Appellee.	§

Submitted: August 20, 2015
Decided: August 25, 2015

Before **STRINE**, Chief Justice; **HOLLAND**, and **SEITZ**, Justices.

ORDER

This 25th day of August 2015, upon consideration of the American Civil Liberties Union Foundation of Delaware’s (“ACLU-DE”) motion for leave to file a brief as *amicus curiae*, it appears to the Court that:

(1) The defendant-appellant, Christopher Wheeler, filed this direct appeal from his convictions on twenty-five counts of Dealing in Child Pornography. Wheeler filed his amended opening brief on August 13, 2015. The ACLU-DE filed a corrected motion for leave to participate as *amicus curiae* on August 18, 2015.

(2) Wheeler consents to the participation of the ACLU-DE. The State takes no position on the motion.

(3) The privilege to be heard as *amicus curiae*, as well as the manner and extent of participation, rests within the sound discretion of the Court.¹ Under the circumstances, the Court finds that the ACLU-DE may be able to provide the Court with some unique supplemental assistance in this case involving a question of general public importance concerning the appropriate scope of search warrants issued for electronic data.²

NOW, THEREFORE, IT IS ORDERED that the motion for leave to participate as *amicus curiae* is GRANTED. The proposed *amicus* brief is deemed to be accepted for filing.

BY THE COURT:

/s/ Leo E. Strine, Jr.

Chief Justice

¹*Giammalvo v. Sunshine Mining Co.*, 644 A.2d 407, 408 (Del. 1994).

²*Id.* at 410.