IN THE SUPERIOR COURT OF THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY

STATE OF DELAWARE)
v.)) ID No. 1001004462
JEROME A. CARTER,)
Defendant.)

ORDER

Upon consideration of the Defendant's Motion for Postconviction Relief, the Commissioner's Report and the record in this case, it appears that:

- 1. Following a jury trial on January 11 and 12, 2011, Defendant was found guilty on the charges of Robbery First Degree, Burglary Second Degree, Theft over \$1500, 2 counts of Endangering the Welfare of a Child and Criminal Mischief under \$1000. Defendant did not take a direct appeal of his conviction to the Delaware Supreme Court.
- 2. On May 31, 2011 defendant filed a Motion for Postconviction Relief pursuant to Superior Court Criminal Rule 61.
- 3. This Motion for Postconviction Relief was referred to a Superior Court Commissioner pursuant to 10 *Del. C.* §512(b) and Superior Court Criminal Rule 62 for proposed findings of fact and conclusions of law.

4. The Commissioner issued the Report and Recommendation on July 6, 2011, recommending that Defendant's *Pro Se* Motion for Postconviction Relief be summarily dismissed. No objections to the Report have been filed.

THEREFORE, for the reasons stated in the Commissioner's July 6, 2011
Report and Recommendation, that Defendant's *Pro Se* Motion for Postconviction
Relief should be summarily dismissed,

IT IS ORDERED this 2nd day of August, 2011that the Commissioner's Report, including its Recommendation, is adopted by the Court. Defendant's Motion for Postconviction Relief is hereby **SUMMARILY DISMISSED**.

1st Mary M. Johnston

The Honorable Mary M. Johnston