

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

STATE OF DELAWARE)
)
)
 v.) I.D. 0303001118
)
)
 TYRONE E. BUNTING)
)
)
 Defendant.)

ORDER

1. Defendant was convicted of robbery in the first degree and robbery in the second degree and was sentenced to a lengthy period of incarceration. His conviction was affirmed on direct appeal by the Delaware Supreme Court.¹

2. In 2007 Defendant filed his first Rule 61 motion seeking post conviction relief. This court held that portions of that motion were procedurally barred and the remaining portions were with without merit.² This court's judgment was affirmed by the Delaware Supreme Court.³

3. Defendant has filed a second Rule 61 motion nearly identical to his 2007 motion which was denied both by this court and the Supreme Court. Given its repetitive nature this court will not "elaborate on the

¹ *Bunting v. State*, 860 A.2d 809 (Del. 2005) (TABLE).

² *State v. Bunting*, 2007 WL 2306954, at *2-3 (Del. Super. Aug. 10, 2007).

³ *Bunting*, 860 A.2d 809.

reasons for its decision beyond what is necessary to allow review by the Supreme Court.”⁴

4. Defendant’s motion is procedurally barred by Criminal Rule 61(i) because it is untimely and because his substantive arguments have previously been presented and denied. Defendant has not brought to the court’s attention any exceptions to those procedural bars which are applicable here.

Wherefore, Defendant’s second Rule 61 motion is **SUMMARILY DISMISSED.**

Dated: November 21, 2014

John A. Parkins, Jr.
Superior Court Judge

oc: Prothonotary

cc: Brian J. Robertson, Esquire, Department of Justice, Wilmington,
Delaware
Tyrone E. Bunting, SBI 167699, JTVCC, Smyrna, Delaware

⁴ *State v. Anderson*, 2014 WL 5169321, at *2 (Del. Super. Oct. 10, 2014) (citing *Brown v. State*, 2014 WL 4264923, at *3 (Del. Aug. 28, 2014)).