

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

STATE OF DELAWARE,)	
)	
Plaintiff,)	
v.)	
)	
VICTOR GRANTHAM,)	Cr. ID. No. 0808016406
)	
Defendant.)	
)	

Submitted: October 20, 2014
Decided: December 5, 2014

Upon Commissioner’s Report and Recommendation That Defendant’s Motion for
Postconviction Relief Should be Summarily Dismissed

ADOPTED

ORDER

This 5th day of December, 2014, the Court has considered the Commissioner’s Report and Recommendation, Defendant’s Motion for Postconviction Relief, and the relevant proceedings below.

On August 20, 2014, Defendant Victor Grantham filed this *pro se* motion for postconviction relief. The motion was referred to a Superior Court Commissioner in accordance with 10 *Del. C.* § 512(b) and Superior Court Criminal Rule 62 for proposed findings of fact and conclusions of law. The Commissioner issued the

Report and Recommendation on October 10, 2014. The Commissioner recommended that Defendant's Motion for Postconviction Relief be denied.

"Within ten days after filing of a Commissioner's proposed findings of fact and recommendations . . . any party may serve and file written objections."¹ Neither party has filed written objections to the Commissioner's Report and Recommendation.

The Court holds that the Commissioner's Report and Recommendation dated October 10, 2014, should be adopted for the reasons set forth therein. The Commissioner's findings are not clearly erroneous, are not contrary to law, and are not an abuse of discretion.²

THEREFORE, after careful and *de novo* review of the record in this action, the Court hereby adopts the Commissioner's Report and Recommendation in its entirety. Defendant's Motion for Postconviction Relief is hereby **DENIED**.

IT IS SO ORDERED.

/s/ Mary M. Johnston

The Honorable Mary M. Johnston

¹ Super. Ct. Crim. R. 62(a)(5)(ii).

² Super. Ct. Crim. R. 62(a)(4)(iv).