

IN THE SUPREME COURT OF THE STATE OF DELAWARE

HARRY L. SAMUEL,	§
	§
Defendant Below-	§ No. 279, 2008
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 93005924DI
Plaintiff Below-	§
Appellee.	§

Submitted: October 17, 2008
Decided: December 18, 2008

Before **STEELE**, Chief Justice, **HOLLAND**, and **BERGER**, Justices.

ORDER

This 18th day of December 2008, after careful consideration of the parties' briefs and the record on appeal, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's decision dated May 21, 2008. The Superior Court did not err in concluding that appellant's third motion for postconviction relief was time-barred, repetitive, and previously adjudicated and that appellant had failed to overcome these procedural hurdles.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland
Justice