

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KENNETH E. JOHNSON,	§
	§ No. 206, 2013
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 9904015635
Plaintiff Below-	§
Appellee.	§

Submitted: August 2, 2013
Decided: August 20, 2013

Before **STEELE**, Chief Justice, **JACOBS**, and **RIDGELY**, Justices

ORDER

This 20th day of August 2013, after 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 March 27, 2013, which adopted the Commissioner's Report and Recommendation dated October 31, 2012. The Superior Court did not err in concluding that appellant's fourth motion for postconviction relief was procedurally barred and that appellant had failed to overcome the procedural hurdles.

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

BY THE COURT:

/s/ Henry duPont Ridgely
Justice