

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KEVIN EPPERSON,	§	
	§	No. 389, 2013
Defendant Below,	§	
Appellant,	§	Court Below–Superior Court of
	§	the State of Delaware in and for
v.	§	Sussex County
	§	
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	Cr. ID No. 9408009291
Appellee.	§	

Submitted: October 1, 2013  
Decided: November 19, 2013

Before **HOLLAND, JACOBS** and **RIDGELY**, Justices.

**ORDER**

This 19<sup>th</sup> day of November 2013, upon consideration of the “motion to dismiss/affirm” filed by the appellee, and the appellant’s answer to the motion to dismiss and his related motions, the Court finds it manifest that the judgment below should be affirmed on the basis of the Superior Court’s order dated June 19, 2013. The Superior Court did not err when summarily dismissing the appellant’s nineteenth motion for postconviction relief as procedurally barred under Superior Court Criminal Rule 61. Likewise on appeal the appellant has failed to overcome the procedural hurdles of Rule 61.

NOW, THEREFORE, IT IS ORDERED that the appellee's motion to affirm is GRANTED, and the judgment of the Superior Court is AFFIRMED. All other motions are denied as MOOT.

BY THE COURT:

/s/ Henry duPont Ridgely  
Justice