

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DAVID M. DAVIS,	§
	§ No. 450, 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 0207002276
Plaintiff Below-	§
Appellee.	§

Submitted: November 26, 2013

Decided: December 5, 2013

Before **HOLLAND, BERGER,** and **JACOBS,** Justices

**ORDER**

This 5<sup>th</sup> day of December 2013, after careful consideration of the opening brief and motion to affirm, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned decision dated August 16, 2013. The Superior Court did not err in concluding that appellant's second 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/ Carolyn Berger  
Justice