

IN THE SUPREME COURT OF THE STATE OF DELAWARE

|                    |                                |
|--------------------|--------------------------------|
| KEVIN S. EPPERSON, | §                              |
|                    | §                              |
| Defendant Below-   | § No. 285, 2005                |
| Appellant,         | §                              |
|                    | §                              |
| v.                 | § Court Below—Superior Court   |
|                    | § of the State of Delaware,    |
| STATE OF DELAWARE, | § in and for New Castle County |
|                    | § Cr. ID. 9408009291           |
| Plaintiff Below-   | §                              |
| Appellee.          | §                              |

Submitted: August 16, 2005  
Decided: September 19, 2005

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

**ORDER**

This 19<sup>th</sup> day of September 2005, after careful consideration of the appellant's opening brief and the State's motion to affirm, we find it manifest that the judgment of the Superior Court should be affirmed on the basis of the Superior Court's well-reasoned decision dated June 17, 2005. The Superior Court did not err in concluding that Epperson's sixth motion for postconviction relief was time-barred and that Epperson had failed to overcome this procedural hurdle.

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

BY THE COURT:

/s/ Jack B. Jacobs  
Justice