

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GUANGO F. CORREA,	§	
	§	No. 563, 2004
Defendant Below,	§	
Appellant,	§	Court Below--Superior Court
	§	of the State of Delaware, in and
v.	§	for Sussex County in S02-05-
	§	0001R5.
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	
Appellee.	§	Def. ID No. 0204015491

Submitted: June 21, 2005  
Decided: September 20, 2005

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

**ORDER**

This 20th 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 decision dated December 9, 2004.<sup>1</sup> The Superior Court did not err in concluding that the claims raised in the appellant's fifth motion for postconviction relief were either repetitive or were previously

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<sup>1</sup> Supr. Ct. R. 25(a).

adjudicated pursuant to Superior Court Criminal Rule 61, and that the appellant had not overcome those procedural hurdles.<sup>2</sup>

NOW, THEREFORE, IT IS ORDERED that the State's motion to affirm is GRANTED. The judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland  
Justice

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<sup>2</sup> See Super. Ct. Crim. R. 61(i)(2) (providing that any ground for relief that was not asserted in a prior postconviction proceeding is barred unless consideration of the claim is warranted in the interest of justice). See Super. Ct. Crim. R. 61(i)(4) (providing that any ground for relief that was formerly adjudicated is barred unless reconsideration of the claim is warranted in the interest of justice).