

SUPERIOR COURT
OF THE
STATE OF DELAWARE

T. HENLEY GRAVES
RESIDENT JUDGE

SUSSEX COUNTY COURTHOUSE
1 THE CIRCLE, SUITE 2
GEORGETOWN, DE 19947
(302) 856-5257

March 19, 2014

Mr. Terrence Teagle
SBI #00283
James T. Vaughn Correctional Center
1181 Paddock Road
Smyrna, DE 19977

RE: *State vs. Terrence Teagle*
ID #0510015293
Motion for Postconviction Relief (R2)

Date Submitted: March 12, 2014

Dear Mr. Teagle:

The Court has reviewed your Motion for Postconviction Relief filed on March 12, 2014, pursuant to Superior Court Criminal Rule 61 ("Rule 61"). The Court finds your Motion is procedurally barred and must be dismissed.

The ground of ineffective assistance of counsel during plea negotiations was raised following the entry of your nolo contendere plea, but prior to sentencing. A hearing took place and the Motion to Withdraw your plea based upon bad advice of counsel was addressed. Your Motion to Withdraw the plea was denied and you were later sentenced to twenty (20) years followed by probation on the charges of

Robbery in the First Degree, Possession of a Firearm During the Commission of a Felony, and Possession of Ammunition by a Person Prohibited.

On direct appeal you raised the issue that the incorrect advice by your attorney should have been grounds to withdraw your plea. The Supreme Court denied your requested relief and affirmed your conviction.¹

In 2008 you filed your first Postconviction Motion raising the exact same issue decided by the Supreme Court. That Motion was denied as previously adjudicated. The decision was affirmed by the Supreme Court.²

This same issue is raised in your second Motion filed on March 13, 2014. Therefore, it is procedurally barred pursuant to Superior Court Rule 61 for being previously adjudicated, time barred, and repetitive.

The Defendant's Postconviction Motion is hereby denied.

IT IS SO ORDERED.

Very truly yours,

/s/ T. Henley Graves

T. Henley Graves

THG/ymp

pc: Department of Justice

¹*Teagle v. State*, 2007 WL 1017354 (Del. Supr. Apr. 4, 2007).

²*Teagle v. State*, 2008, WL 4911801 (Del. Supr. Nov. 17, 2008).

