

SUPERIOR COURT
OF THE
STATE OF DELAWARE

E. SCOTT BRADLEY
JUDGE

SUSSEX COUNTY COURTHOUSE
1 The Circle, Suite 2
GEORGETOWN, DE 19947

December 23, 2009

Revised 12/15/09 Letter

Leroy Shelley
aka Tyron Davis - DK7871
SBI No. 00
175 Progress Drive
Waynesburg, PA 15370

**Re: State of Delaware v. Leroy Shelley
Def. ID No. 9804001318
Letter Opinion**

Date Submitted: September 10, 2009

Dear Mr. Shelley:

This is my decision on your Motion for Postconviction Relief. You were convicted of a number of charges arising out of your robbery of two employees at the Rainbow Apparel store on February 6, 1997. You now claim that one of the State of Delaware's witnesses, Mark D. Hawk, offered testimony regarding your confession that was untrue and not supported by any other evidence. These are claims that you could have raised in your appeal to the Delaware Supreme Court. You did not do so and have not offered any explanation now for not doing so. Therefore, your claims are barred by Superior Court Criminal Rule 61(1)(3).

Your Motion for Postconviction Relief is denied.

IT IS SO ORDERED.

Very truly yours,

E. Scott Bradley

cc: NCC Prothonotary's Office
Brian James Robertson, Esquire
Timothy Joseph Weiler, Esquire

Leroy Shelley
AKA Tyron Davis DK7871
175 Progress Drive
Waynesburg, PA 15370

STATE MAIL
Sussex Correctional Institution
ATTN: Charles A. Edwards SBI # 00520789
P.O. Box 500
Georgetown, DE 19947
N440

Ronald L. Cannon

Carlos Ortiz/DCC

Maryland Eastern Correctional Institution
Attn: Willie R. Bryant - # 265301
30420 Revells Neck Road
Westover, MD 21890

STATE MAIL - N440
Delaware Correctional Center
ATTN: Bruce Waples SBI # 00170369
1181 Paddock Road
Smyrna, DE 19977