

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY**

STATE OF DELAWARE,	)	
	)	
v.	)	I.D. No. 0304014526B
	)	
CURTIS ALLEN,	)	
	)	
Defendant.	)	
	)	

Date Submitted: November 3, 2009  
Date Decided: November 18, 2009

**ORDER**

On this 18th day of November, 2009, upon consideration of the Defendant's Motion for Postconviction Relief, the Commissioner's Report and Recommendation that Defendant's Motion for Postconviction Relief be Summarily Dismissed, and the record in the case, it appears that:

- 1) The Court referred this Motion to Superior Court Commissioner Mark S. Vavala pursuant to 10 Del. C. § 512(b) and Superior Court Rule 62 for proposed findings of facts and conclusions of law.
- 2) The Commissioner has filed a Report and Recommendation that the Court summarily dismiss Defendant's Motion for Postconviction Relief. No objections to the Report have been filed.

NOW THEREFORE, after careful and *de novo* review of the record in this action, and for reasons stated in the Commissioner's Report and Recommendation of November 3, 2009, Defendant's Motion for Postconviction Relief is **DISMISSED**.

IT IS SO ORDERED.

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Judge John E. Babiarz, Jr.