

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

STATE OF DELAWARE,)	
)	
Plaintiff,)	
v.)	
)	
COREY LEWIS,)	Cr. ID. No. 1306017893
)	
Defendant.)	
)	

Submitted: June 3, 2015
Decided: June 15, 2015

Upon Commissioner's Report and Recommendation That
Defendant's Motion for Postconviction Relief
Should be Denied

ADOPTED

ORDER

This 15th day of June, 2015, the Court has considered the Commissioner's Report and Recommendation, Defendant's Motion for Postconviction Relief, Defendant's Motion to Amend the Motion for Postconviction Relief, and the relevant proceedings below.

On January 7, 2015, Defendant Harold Corey Lewis filed this *pro se* motion for postconviction relief. The motion was referred to a Superior Court Commissioner in accordance with 10 *Del. C.* § 512(b) and Superior Court Criminal Rule 62 for proposed findings of fact and conclusions of law. The Commissioner

issued the Report and Recommendation on April 14, 2015. The Commissioner recommended that Defendant's Motion for Postconviction Relief be denied.

"Within ten days after filing of a Commissioner's proposed findings of fact and recommendations . . . any party may serve and file written objections."¹ Defendant Lewis filed a Motion to Amend on June 3, 2015. Defendant's Motion is procedurally barred because of his knowing, intelligent, and voluntary guilty plea.² Upon review, the Court also finds Defendant's Motion to Amend to be without merit.

The Court holds that the Commissioner's Report and Recommendation dated April 14, 2015, should be adopted for the reasons set forth therein. The Commissioner's findings are not clearly erroneous, are not contrary to law, and are not an abuse of discretion.³

THEREFORE, after careful and *de novo* review of the record in this action, the Court hereby adopts the Commissioner's Report and Recommendation in its entirety. Defendant's Motion for Postconviction Relief is hereby **DENIED**.

IT IS SO ORDERED.

/s/ Mary M. Johnston _____

The Honorable Mary M. Johnston

¹ Super. Ct. Crim. R. 62(a)(5)(ii).

² Super Ct. Crim. R. 61(i)(3).

³ Super. Ct. Crim. R. 62(a)(4)(iv).

