

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE)	
)	
v.)	ID#: 9408012457
)	
JOHN A. TAYLOR,)	
)	
Defendant.)	

Upon Commissioner’s Report and Recommendation that Defendant’s
Motion for Postconviction Relief should be denied -- **ADOPTED**

ORDER

This 16th day of September, 2019, the Court having considered the Commissioner’s Findings of Fact and Recommendations, it appears to the Court that:

1. On July 29, 2019, John A. Taylor filed a *pro se* motion for postconviction relief (the “Postconviction Motion”). The Court referred the motions to a Superior Court Commissioner under 10 *Del. C.* § 512 and Superior Court Criminal Rule 62. On August 15, 2019, the Commissioner issued her findings of fact and recommendation (the “Report”). Under Rule 62, a party objecting to any portion of a Commissioner’s findings of fact and recommendations may serve and file written objections within 10 days of the report’s filing.¹ Although more than 30 days have passed since the Commissioner issued her Report, Taylor has not filed any objections. Taylor therefore has waived

¹ Super. Ct. Crim. R. 62(a)(5)(ii).

any objections to the Report.² Accordingly, the Court hereby adopts the Commissioner's Report in its entirety and Defendant's Postconviction Motion is **DENIED**.

2. The Commissioner also recommended that, "in light of Taylor's excessive and serial filings," he should be prohibited from filing any further motions for postconviction relief unless he first obtains permission from the Court.³ The Commissioner summarized Taylor's extensive and repetitive filing history, including six previous postconviction motions, a petition for a writ of habeas corpus, a petition for a writ of mandamus, and several other motions unsuccessfully seeking various forms of relief. In light of Taylor's abuse of the postconviction process, he is barred from filing further motions for postconviction relief unless he first is authorized to do so by a Superior Court Judge.

IT IS SO ORDERED.


Abigail M. LeGrow, Judge

Original to Prothonotary

cc: Martin B. O'Connor, Deputy Attorney General
John A. Taylor, *pro se*, SBI# 00311518

² *Maniscalco v. State*, 2017 WL 443725, at *2 (Del. Jan. 10, 2017).

³ Commissioner's Report and Recommendation at 4.