

SUPERIOR COURT
OF THE
STATE OF DELAWARE

CRAIG A. KARSNITZ
RESIDENT JUDGE

1 The Circle, Suite 2
GEORGETOWN, DE 19947

August 10, 2022

James A. Biggins
SBI #319264
Unit W
James T. Vaughn Correctional Center
1181 Paddock Road
Smyrna, DE 19977

Re: *State of Delaware v. James A. Biggins*
Def. ID No. 9609015504
Motion for Reconsideration of Postconviction Relief and
Consolidated Motion for Discovery

Dear Mr. Biggins:

On May 11, 2022, you filed a Motion for Postconviction Relief and Consolidated Motion for Discovery (collectively, the “Rule 61 Motion”). This was not your first Rule 61 Motion. Under the Delaware Superior Court Rules of Criminal Procedure, second or subsequent motions for postconviction relief are not permitted unless, in the Rule 61 Motion, you plead with particularity new evidence creating a strong inference of your actual innocence or a new rule of constitutional law that

applies retroactively to your case and renders your convictions invalid.¹ Since you pled neither of these in the Rule 61 Motion, the Rule 61 Motion was procedurally barred and I summarily dismissed it on May 19, 2022.²

On May 31, 2022, your Motion for Reconsideration of Postconviction Relief and Consolidated Motion for Discovery dated May 22, 2022 (the “Motion for Reconsideration”) was filed with this Court. In the Motion for Reconsideration, you asked me to reconsider my dismissal of the Rule 61 Motion.

There is nothing for me to reconsider. The six grounds you state in your Motion for Reconsideration have been presented and rejected before.

Moreover, on August 23, 2021, I prohibited you from filing any matter with this Court without first obtaining written approval based on your history of filing numerous, meritless pleadings.³ The Delaware Supreme Court has also prohibited you from filing any further papers challenging your convictions in this case without a Justice's prior approval.⁴ Your repetitive, meritless and frequent filings are testing the patience of this Court. I again prohibit you from such filings without first obtaining written approval.

1 Super. Ct. Crim. R. 61(d)(2).

2 Super. Ct. Crim. R. 61(d)(5).

3 Letter of Craig A. Karsnitz to James A. Biggins dated August 23, 2021.

4 *Biggins v. State*, 2011 WL 2731214, at *1 (Del. July 11, 2011).

For the reasons set forth above, the Motion for Reconsideration is **DENIED**.

IT IS SO ORDERED.

Very truly yours,

/s/ Craig A. Karsnitz

cc: Prothonotary