

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHN C. JOHNSON,	§
	§
Defendant Below-	§ No. 204, 2009
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 9908026980
Plaintiff Below-	§
Appellee.	§

Submitted: July 31, 2009
Decided: September 4, 2009

Before **STEELE**, Chief Justice, **HOLLAND**, and **RIDGELY**, Justices.

ORDER

This 4th day of September 2009, after careful consideration of the briefs of the parties, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned decision dated March 31, 2009. The Superior Court did not err in concluding that appellant's motion for postconviction relief was time-barred and that appellant had failed to overcome this procedural hurdle.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Myron T. Steele
Chief Justice