

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MILES BRICE,	§
	§ No. 129, 2013
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 0107007736
Plaintiff Below-	§
Appellee.	§

Submitted: May 13, 2013

Decided: May 24, 2013

Before **STEELE**, Chief Justice, **HOLLAND**, and **BERGER**, Justices

**ORDER**

This 24th day of May 2013, after careful consideration of the opening brief and the motion to affirm, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court’s order adopting the Commissioner’s decision dated January 24, 2013. The Superior Court did not err in concluding that appellant’s fourth motion for postconviction relief was procedurally barred and that appellant had failed to overcome the procedural hurdles.

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

BY THE COURT:

/s/ Randy J. Holland  
Justice