

IN THE SUPREME COURT OF THE STATE OF DELAWARE

OTIS CORNISH,	§
	§
Defendant Below-	§ No. 79, 2002
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for Sussex County
STATE OF DELAWARE,	§ Cr. ID No. 9810007587
	§
Plaintiff Below-	§
Appellee.	§

Submitted: June 21, 2002
Decided: August 9, 2002

Before **VEASEY**, Chief Justice, **BERGER**, and **STEELE**, Justices.

ORDER

This 9th day of August 2002, upon consideration of the parties' briefs and the record below, it appears to the Court that:

(1) In June 1999, the appellant Otis Cornish, after three days of trial but before closing arguments, pleaded guilty to one count of first degree robbery, two counts of possession of a firearm during the commission of a felony, and one count of attempted first degree assault (as a lesser included offense to attempted murder). The Superior Court sentenced Cornish in accordance with his plea agreement to twenty years at Level V incarceration followed by eleven years of probation. In July 2001, Cornish filed his first petition for postconviction relief, asserting various allegations of ineffective assistance of counsel. After receiving responses from

trial counsel and the State, the Superior Court, without holding a hearing, summarily denied Cornish's petition on its merits. This appeal ensued.

(2) Having carefully considered the parties' respective briefs, we find it manifest that the Superior Court's judgment should be affirmed on the basis of its well-reasoned decision dated January 17, 2002. The Superior Court's finding that Cornish entered his guilty plea knowingly and voluntarily is supported by clear and convincing evidence in the record. Moreover, we find no error in the Superior Court's conclusion that Cornish's allegations of ineffective assistance were vague and unsupported by the record. Accordingly, the Superior Court did not err in summarily disposing of Cornish's petition without holding a hearing.¹

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

BY THE COURT:

Myron T. Steele
Justice

¹ See *Maxion v. State*, 686 A.2d 148, 11 (Del. 1996).