

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ROMONE V. ALLEN,

Defendant Below,
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below,
Appellee.

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§ No. 102, 2016

§

§ Court Below—Superior Court
§ of the State of Delaware

§

§ Cr. ID No. 1207010588

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Submitted: April 21, 2016

Decided: May 24, 2016

Before **STRINE**, Chief Justice, **VALIHURA**, and **SEITZ**, Justices.

ORDER

This 24th day of May 2016, upon consideration of the appellant’s opening brief, the appellee’s motion to affirm, and the record below, it appears to the Court that:

(1) The appellant, Romone V. Allen, resolved two cases by pleading guilty to two counts of Drug Dealing and one count of Resisting Arrest with Force on September 5, 2013. In July 2014, Allen filed a motion for postconviction relief under Superior Court Criminal Rule 61. In the motion, which was supplemented several times, Allen asserted violations of *Brady v. Maryland*¹ and *Brady v. United*

¹ 373 U.S. 83 (1963).

*States*² based upon misconduct at the Office of the Chief Medical Examiner (“OCME”).

(2) Relying upon this Court’s decisions in *Ira Brown v. State*³ and *Aricidiacono v. State*,⁴ the Superior Court dismissed Allen’s motion in an order dated February 3, 2016.⁵ This appeal followed. For the reasons stated in our previous cases and the Superior Court’s February 3, 2016 order, we affirm the Superior Court’s denial of postconviction relief in this appeal.⁶ Allen’s motion for postconviction relief failed to plead any basis to avoid the effect of his voluntary and knowing guilty plea, and he has not suffered an unjust conviction.

NOW, THEREFORE, IT IS ORDERED that motion to affirm is GRANTED and the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Justice

² 397 U.S. 742 (1970).

³ 108 A.3d 1201 (Del. 2015).

⁴ 125 A.3d 677 (Del. 2015).

⁵ *State v. Allen*, 2016 WL 520716, at *2-3 (Del. Feb. 3, 2016).

⁶ See nn. 3-5. See also *Anzara Brown v. State*, 117 A.3d 568, 581 (Del. 2015); *Patrick L. Brown v. State*, 2015 WL 3372271, at *2 (Del. May 22, 2015); *Carrero v. State*, 2015 WL 3367940, at *2 (Del. May 21, 2015).