

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DARREL PAGE,	§
	§
Defendant Below,	§ No. 258, 2017
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID No. 9911016961 (N)
	§
Plaintiff Below,	§
Appellee.	§

Submitted: August 4, 2017  
Decided: September 6, 2017

Before **STRINE**, Chief Justice; **SEITZ** and **TRAYNOR** Justices.

**ORDER**

This 6<sup>th</sup> day of September 2017, after careful consideration of the opening brief, the motion to affirm, and the record below, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court’s well-reasoned orders dated June 8, 2017. The Superior Court did not err in concluding that the appellant’s fifth motion for postconviction relief was subject to summary dismissal under Superior Court Criminal Rule 61(d)(2). Nor did the Superior Court err in denying the appellant’s motion to compel. We note that this is the appellant’s fifth postconviction motion. We will not continue to invest scarce judicial resources

to address untimely claims. We encourage the appellant to be mindful of Superior Court Criminal Rule 61(j).<sup>1</sup>

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

BY THE COURT:

/s/ Gary F. Traynor

Justice

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<sup>1</sup> Super. Ct. Crim. R. 61(j) (“If a motion is denied, the state may move for an order requiring the movant to reimburse the state for costs and expenses paid for the movant from public funds.”).