

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WILLIAM F. BURRIS,	§	
	§	No. 456, 2018
Defendant Below,	§	
Appellant,	§	Court Below: Superior Court
	§	of the State of Delaware
v.	§	
	§	Cr. ID No. 92K01637DI
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: September 26, 2018

Decided: December 13, 2018

Before **VALIHURA, VAUGHN**, and **SEITZ**, Justices.

ORDER

Upon careful consideration of the appellant’s opening brief, the State’s motion to affirm, and the record, we affirm the Superior Court’s summary dismissal of the appellant’s motion for postconviction relief under Superior Court Criminal Rule 61. The belated motion, filed more than twenty years after the appellant’s convictions became final, was based on a flawed legal premise that the appellant’s sentence violated the prohibition against double jeopardy because he was sentenced in Maryland for similar conduct.*

* See *Petition of Hovey*, 545 A.2d 626, 629 (Del. 1988) (“The United States Supreme Court has recognized that separate jurisdictions may prosecute and punish violations in their respective jurisdictions.” (citing cases)).

NOW, THEREFORE, IT IS ORDERED that the State's motion to affirm is GRANTED. The judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ James T. Vaughn, Jr.
Justice