

IN THE SUPREME COURT OF THE STATE OF DELAWARE

STEPHEN WINN,	§
	§
Defendant Below,	§ No. 24, 2020
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID No. 0103012308 (N)
	§
Plaintiff Below,	§
Appellee.	§

Submitted: January 22, 2020

Decided: March 3, 2020

Before **SEITZ**, Chief Justice; **TRAYNOR** and **MONTGOMERY-REEVES**,
Justices.

ORDER

After careful consideration of the appellant’s opening brief, the State’s motion to affirm, and the record on appeal, we conclude that the judgment below should be affirmed on the basis of and for the reasons assigned by the Superior Court’s order, dated December 23, 2019, summarily dismissing the appellant’s fifth motion for postconviction relief. The appellant has not pleaded with particularity new evidence of actual innocence or that a new, retroactive rule of constitutional law renders his

conviction invalid.¹ Nor has he asserted any claim that the Superior Court lacked jurisdiction.²

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

¹ DEL. SUPER. CT. CRIM. R. 61(d)(2).

² *Id.* R. 61(i)(5).