

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DENNIS SANTIAGO,	§
	§
Defendant Below-	§ No. 483, 2000
Appellant,	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr.A. Nos. IN-89-02-1021 and
	§ 1023, and IN89-02-0344
Plaintiff Below-	§
Appellee.	§

Submitted: February 20, 2001
Decided: March 13, 2001

Before **WALSH, HOLLAND**, and **BERGER**, Justices.

ORDER

This 13th day of March 2001, upon consideration of the parties' briefs, it appears to the Court that:

(1) The defendant-appellant, Dennis Santiago, pled guilty in 1989 to first degree unlawful sexual intercourse and two weapon offenses. The Superior Court sentenced Santiago to life imprisonment plus twenty years. Santiago did not appeal his convictions or sentences. In 1992, Santiago filed a motion for postconviction relief, which the Superior Court summarily denied. This Court affirmed that decision on appeal.¹ In 1995, Santiago unsuccessfully sought federal habeas relief. In March 2000, he filed a second motion for

postconviction relief, which the Superior Court denied. Santiago voluntarily dismissed his appeal from that order. In September 2000, he once again filed a motion for state postconviction relief. This is Santiago's appeal from the Superior Court's denial of that motion.

(2) Having carefully considered the parties' respective positions, we find it manifest that the judgment should be affirmed on the basis of the Superior Court's well-reasoned decision dated September 19, 2000. The Superior Court did not err in concluding that all of the Santiago's claims were procedurally barred as repetitive and/or untimely² and that his claims did not fall within any of the exceptions to the procedural bars under Superior Court Criminal Rule 61(i). Accordingly, we find no abuse of discretion in the Superior Court's summary disposition of Santiago's claims without holding a hearing.³

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/ Randy J. Holland
Justice

¹ *Santiago v. State*, No. 539, 1992, Holland, J. (Apr. 21, 1993) (ORDER).

² See Super. Ct. Crim. R. 61(i)(1), (2).

³ See *Maxion v. State*, Del. Supr., 686 A.2d 148, 11 (1996).