

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WALTER L. SMITH,	§
	§ No. 344, 2012
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for Sussex County
	§ Cr. ID 0105019765
Plaintiff Below-	§
Appellee.	§

Submitted: August 27, 2012  
Decided: September 6, 2012

Before **HOLLAND, BERGER,** and **JACOBS,** Justices

**ORDER**

This 6<sup>th</sup> day of September 2012, after careful consideration of the opening brief and the State’s motion to affirm, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court’s well-reasoned decision dated June 14, 2012. The Superior Court did not err in concluding that appellant’s fourth motion for postconviction relief was procedurally barred and that appellant had failed to overcome the procedural hurdles.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Carolyn Berger  
Justice