

IN THE SUPREME COURT OF THE STATE OF DELAWARE

FREDDIE MULKEY,	§
	§
Defendant Below-	§ No. 490, 2002
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr.A. No. IN88-03-0075
	§ Cr. ID. 88001577DI
Plaintiff Below-	§
Appellee.	§

Submitted: October 4, 2002
Decided: October 15, 2002

Before **VEASEY**, Chief Justice, **HOLLAND**, and **STEELE**, Justices.

ORDER

This 15th day of October 2002, after careful consideration of the appellant's opening brief and the State's motion to affirm, we find it manifest that the judgment of the Superior Court should be affirmed on the basis of the Superior Court's well-reasoned decision dated August 5, 2002. The Superior Court did not err in concluding that Mulkey's motion for postconviction relief was time-barred and that Mulkey had failed to overcome this procedural hurdle.

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

BY THE COURT:

Myron T. Steele
Justice