

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CHRISTOPHER R. DESMOND,	§
	§
Defendant Below-	§ No. 177, 2004
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID 91009844DI
	§
Plaintiff Below-	§
Appellee.	§

Submitted: June 1, 2004

Decided: July 9, 2004

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

**ORDER**

This 9<sup>th</sup> day of July 2004, 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 April 7, 2004. The Superior Court did not err in concluding that the claims raised in Desmond's fourth motion for postconviction relief were procedurally barred by Superior Court Criminal Rule 61(i)(1), (2), and (4) and that Desmond had failed to overcome these procedural hurdles.

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

BY THE COURT:

/s/ Jack B. Jacobs  
Justice