

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GREGORY A. DENSTON,	§
	§
Defendant Below-	§ No. 167, 2004
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr.A. No. IN97-12-0863 and
	§ -0864
Plaintiff Below-	§
Appellee.	§

Submitted: June 15, 2004  
Decided: August 13, 2004

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

**ORDER**

This 13<sup>th</sup> day of August 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 16, 2004. The Superior Court did not err in concluding that Denston's motion for postconviction relief was both time-barred and repetitive and that Denston had failed to overcome these procedural hurdles.<sup>1</sup>

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<sup>1</sup> See Del. Super. Ct. R. 61(i)(1), (4).

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

BY THE COURT:

/s/ Jack B. Jacobs  
Justice