

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RONNIE THOMAS,	§
	§
Defendant Below-	§ No. 123, 2002
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for Sussex County
	§ Cr. ID No.
Plaintiff Below-	§
Appellee.	§

Submitted: April 11, 2002
Decided: May 20, 2002

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

ORDER

This 20th day of May 2002, upon consideration of the appellant's opening brief and the State's motion to affirm, we find it manifest that this matter must be affirmed on the basis of the Superior Court's well-reasoned decision dated February 26, 2002. Thomas' postconviction petition was filed more than three years after the mandate issued from this Court following Thomas' direct appeal. Accordingly, Thomas' claims were procedurally barred by Superior Court Criminal Rule 61(i)(1). Thomas did not satisfy any of the conditions for an exception to the three year limitations period. The Superior Court did not err in its application of this well-settled law.

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

BY THE COURT:

/s/ Randy J. Holland
Justice