

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PARIS L. CARNEY,	§
	§
Defendant Below-	§ No. 456, 2004
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr.A. No. IN01-01-0018
	§ Cr. ID. 0012013208
Plaintiff Below-	§
Appellee.	§

Submitted: January 7, 2005

Decided: February 23, 2005

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

ORDER

This 23rd day of February 2005, after careful consideration of the parties' briefs and the record below, 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 September 24, 2004. The Superior Court did not err in concluding that the motion for postconviction relief was time-barred under Superior Court Criminal Rule 61(i)(1) and that Carney had failed to overcome this procedural hurdle.

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

BY THE COURT:

/s/ Randy J. Holland
Justice