

IN THE SUPREME COURT OF THE STATE OF DELAWARE

SAMUEL LAYTON,	§
	§ No. 585, 2012
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for Sussex County
	§ Cr. ID 0205011859
Plaintiff Below-	§
Appellee.	§

Submitted: November 20, 2012

Decided: December 18, 2012

Before **STEELE**, Chief Justice, **HOLLAND**, and **RIDGELY**, Justices

ORDER

This 18th day of December 2012, we have carefully considered the appellant's opening brief, the State's motion to affirm, and the record on appeal. We find it manifest that the judgment below should be affirmed for the reasons set forth in the Superior Court's decision dated September 25, 2012. The Superior Court did not err in concluding that the claims raised in the appellant's third motion for postconviction relief were procedurally barred by the provisions of Superior Court Criminal Rule 61(i)(1), (i)(2), (i)(3), and/or (i)(4) and that appellant 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/ Myron T. Steele
Chief Justice