

IN THE SUPREME COURT OF THE STATE OF DELAWARE

SHAWN FELICETTY,	§
	§
Defendant Below-	§ No. 128, 2002
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for Sussex County
	§ Cr. ID No. 9806003895
Plaintiff Below-	§
Appellee.	§

Submitted: April 2, 2002
Decided: May 7, 2002

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

ORDER

This 7th day of May 2002, upon consideration of the appellant's opening brief and the State's motion to affirm, it is manifest that this matter must be affirmed on the basis of the Superior Court's well-reasoned decision dated March 6, 2002. The claims raised in Felicetty's postconviction petition were procedurally barred under Superior Court Criminal Rule 61(i). To the extent the issues were a refinement of issues raised by Felicetty and rejected by this Court in an earlier appeal,* Rule 61(i)(4) bars reconsideration of those issues. To the extent Felicetty failed to raise these

* *Felicetty v. State*, 2002 WL 200967 (Del. Supr.).

issues in his prior appeal, Rule 61(i)(3) bars consideration of these claims.

Felicetty has failed to overcome these procedural hurdles.

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

BY THE COURT:

/s/ Randy J. Holland
Justice