

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CHARLES GHOLDSON,	§
	§
Defendant Below-	§ No. 547, 2002
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr.A. No. IN93-03-0425 thru
	§ -0428
Plaintiff Below-	§ Cr. ID. 30301463DI
Appellee.	§

Submitted: November 18, 2002

Decided: December 11, 2002

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

**ORDER**

This 11<sup>th</sup> day of December 2002, 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 September 4, 2002. The Superior Court did not err in concluding that Gholdson's motion for postconviction relief was time-barred and previously adjudicated. The Superior Court correctly held that Gholdson had failed to overcome these procedural hurdles because this Court's recent decision in *Harris v. State*, 806 A.2d 119 (Del. 2002), does not apply to Gholdson's case.

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

BY THE COURT:

Myron T. Steele

Justice