

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MONA HARRISON,	§	
	§	No. 107, 2006
Defendant Below,	§	
Appellant,	§	Court Below–Superior Court
	§	of the State of Delaware, in
v.	§	and for Sussex County in
	§	Cr. ID No. 87S00410DI
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: April 25, 2006
Decided: July 6, 2006

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

ORDER

This 6th day of July 2006, upon consideration of the appellant’s opening brief, the State’s motion to affirm pursuant to Supreme Court Rule 25(a), and the Superior Court record, it appears to the Court that:

(1) In 1987, the appellant, Mona Harrison, pleaded guilty to Felony Murder in the Second Degree. In 1988, Harrison was sentenced to life in prison, subject to parole.

(2) On January 5, 2006, Harrison filed a motion for postconviction relief pursuant to Superior Court Criminal Rule 61. By order dated February 6, 2006, the

Superior Court summarily denied the motion as time-barred and as substantively without merit.

(3) After careful consideration of the parties' positions on appeal and the Superior Court record, we conclude that the judgment of the Superior Court should be affirmed on the basis of, and for the reasons set forth in, the Superior Court's well-reasoned decision dated February 6, 2006.¹ Harrison's postconviction motion and the claims therein, coming seventeen years after her guilty plea and sentence, were appropriately dismissed as time-barred.² On appeal, Harrison has not demonstrated, and the record does not reflect, a basis upon which to excuse the procedural bar.³

NOW, THEREFORE, IT IS ORDERED that the State's motion to affirm is GRANTED. The judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland
Justice

¹See also *Somerville v. State*, 703 A.2d 629, 632 (Del. 1997) (holding that defendant was bound by his answers on the guilty plea form and by his sworn testimony during plea colloquy).

²See Del. Super. Ct. Crim. R. 61(i)(1) (2005) (barring claim filed more than three years after judgment is final or after newly recognized retroactively applicable right).

³See Del. Super. Ct. Crim. R. 61(i)(5) (2006) (excepting from time bar a jurisdictional claim or a colorable claim that there was a manifest injustice because of a constitutional violation).