

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MARK GUESS,	§
	§
Defendant Below-	§ No. 331, 2006
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for Sussex County
	§ Cr. ID. 0107018161
Plaintiff Below-	§
Appellee.	§

Submitted: August 28, 2006

Decided: October 25, 2006

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

ORDER

This 25th day of October 2006, after careful consideration of appellant's opening brief and the State's motion to affirm, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned decision dated June 21, 2006. The Superior Court did not err in concluding that appellant's motion for postconviction relief was repetitive and that appellant 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/ Myron T. Steele
Chief Justice