

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ANDRE ELLIOTT,	§
	§
Defendant Below-	§ No. 458, 2006
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 0005023797
Plaintiff Below-	§
Appellee.	§

Submitted: October 30, 2006
Decided: December 18, 2006

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

ORDER

This 18th day of December 2006, after careful consideration of 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 August 2, 2006. The Superior Court did not err in concluding that appellant's second motion for postconviction relief was procedurally barred and that he had failed to overcome the procedural hurdles.

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

BY THE COURT:

/s/ Jack B. Jacobs
Justice