

IN THE SUPREME COURT OF THE STATE OF DELAWARE

THOMAS R. MILLER,	§
	§
Defendant Below-	§ No. 25, 2003
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for Sussex County
STATE OF DELAWARE,	§ Cr.A. Nos. 92-12-0044 and -0045
	§ Cr. ID. 92S05488DI
Plaintiff Below-	§
Appellee.	§

Submitted: March 4, 2003  
Decided: March 17, 2003

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

**ORDER**

This 17<sup>th</sup> day of March 2003, after careful consideration of the 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 January 9, 2003. The Superior Court did not err in concluding that Miller's motion for postconviction relief was time-barred under Superior Court Criminal Rule 61(i)(1) and that Miller 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/ Carolyn Berger  
Justice