

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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STEVEN W. KRAFCHICK,

Defendant Below-  
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below-  
Appellee.

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DELAWARE SUPREME COURT  
FILED

No. 555, 2006

2007 APR 26 A 11:44

Court Below—~~Superior Court~~  
of the State of Delaware,

in and for New Castle County

Cr. ID 0101010946

Submitted: March 7, 2007

Decided: April 26, 2007

Before HOLLAND, BERGER, and JACOBS, Justices.

**ORDER**

This 26<sup>th</sup> day of April 2007, 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. Although the Superior Court wrongly concluded that appellant's second postconviction motion was untimely, the Superior Court did not err in its alternative conclusions that appellant's claims also were procedurally barred as being repetitive and formerly adjudicated, and appellant had failed to overcome these procedural hurdles.

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

BY THE COURT:

*Carolyn Berger*  
Justice