

innocence or a new rule of constitutional law that was retroactively applicable.² Contrary to Broadnax’s contentions, *Martinez v. Ryan*³ does not stand for the proposition that he may “re-do” his first postconviction proceeding with appointed counsel.⁴

We note that this is Broadnax’s third unsuccessful motion for postconviction relief. We will not continue to invest scarce judicial resources to address untimely and repetitive claims. We encourage Broadnax to be mindful of Rule 61(j).⁵

NOW, THEREFORE, IT IS ORDERED that the motion to affirm is GRANTED and the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland
Justice

² Super. Ct. Crim. R. 61(d)(2).

³ — U.S. —, 132 S.Ct. 1309 (2012).

⁴ *See, e.g., Riley v. State*, 2014 WL 98643, at *1 (Del. Jan. 9, 2014) (rejecting argument that a defendant who proceeded without counsel in first postconviction proceeding was entitled under *Martinez* to “re-do” his first postconviction proceeding with appointed counsel).

⁵ Super. Ct. R. 61(j) (“If a motion is denied, the state may move for an order requiring the movant to reimburse the state for costs and expenses paid for the movant from public funds.”).