

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DERRICK SMITH,	§
	§ No. 90, 2017
Defendant Below-	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware
STATE OF DELAWARE,	§
	§ Cr. ID 1101020846 (N)
Plaintiff Below-	§
Appellee.	§

Submitted: May 19, 2017

Decided: July 6, 2017

Before **STRINE**, Chief Justice; **VALIHURA** and **VAUGHN**, Justices.

ORDER

This 6th day of July 2017, the Court has considered this matter on the basis of the opening brief and the State’s motion to affirm and has determined that the Superior Court’s judgment summarily dismissing the appellant’s third motion for postconviction relief should be affirmed on the basis of and for the reasons assigned by the Superior Court in its well-reasoned Order dated February 1, 2017 and its Order denying reargument dated February 21, 2017.

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

BY THE COURT:

/s/ Karen L. Valihura
Justice