

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MATTHEW M. PHLIPOT

Defendant Below-
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below-
Appellee.

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§ No. 240, 2017

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§ Court Below—Superior Court
§ of the State of Delaware

§

§ ID. No. 0903021873 (S)

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Submitted: June 30, 2017

Decided: July 14, 2017

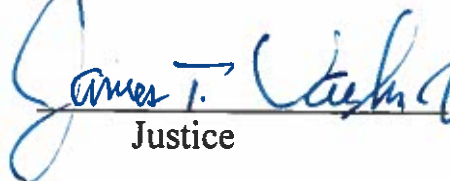
Before VALIHURA, VAUGHN, and SEITZ, Justices.

ORDER

This 14th day of July 2017, after careful consideration of the opening brief and the State's motion to affirm, it is clear that the judgment below should be affirmed on the basis of, and for the reasons assigned by, the Superior Court in its well-reasoned decision dated May 24, 2017. The Superior Court did not err in concluding that Philipot's second motion for postconviction relief was untimely and repetitive and that Philipot had failed to overcome these procedural hurdles.

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

BY THE COURT:


Justice