

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

STATE OF DELAWARE,)	
)	
v.)	ID#: 9408012457
)	
JOHN A. TAYLOR,)	
Defendant.)	

ORDER

**Upon Defendant’s Fourth Motion for Postconviction Relief –
*SUMMARILY DISMISSED***

1. On May 10, 2012, the court dismissed Defendant’s third motion for postconviction relief stemming from his January 22, 1996 conviction on two counts of unlawful sexual intercourse in the first degree, and related crimes.
2. Defendant did not take an appeal from the May 2012 dismissal. Instead, he filed this, his fourth motion for postconviction relief.
3. Prothonotary properly referred the motion for preliminarily review¹ and, it is subject to summary dismissal.²

¹ Super. Ct. Crim. R. 61(d)(1).

² Super. Ct. Crim. R. 61(d)(4).

4. Just as his third motion for postconviction relief was repetitive, so is this one. Defendant's fourth motion for postconviction relief is merely a serial filing. As to Defendant's third motion, the court found that Defendant's "underlying premise seems to be that if his claims are repeatedly reviewed, eventually they will achieve a better result." That seems to be what is going on here, too.

5. The court continues to find that in the interest of justice does not dictate substantive review of this repetitive motion.

For the foregoing reasons, Defendant's fourth motion for postconviction relief is **SUMMARILY DISMISSED**. The Prothonotary **SHALL** cause Defendant to be notified.

IT IS SO ORDERED.

Date: April 10, 2013 _____ /s/ Fred S. Silverman
Judge

cc: Prothonotary
James J. Kriner, Deputy Attorney General
John A. Taylor, Defendant