

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

STATE OF DELAWARE	)	
	)	
v.	)	ID#: 1101004755
	)	
MICHAEL L. CHURCH,	)	
Defendant.	)	

**ORDER**

**Upon Defendant's Second Motion for Postconviction Relief –  
*SUMMARILY DISMISSED.***

1. On June 4, 2015, Defendant filed the above-captioned motion for postconviction relief under Superior Court Criminal Rule 61.
2. The motion was properly referred for preliminary review.<sup>1</sup>
3. Upon preliminary review, it appears the motion is procedurally barred as repetitive, and is subject to summary dismissal.
4. The history leading to this motion has been set out in the orders denying Defendant's motions to withdraw his guilty plea,<sup>2</sup> for reconsideration of that

---

<sup>1</sup> Super. Ct. Crim. R. 61(d)(1).

<sup>2</sup> *State v. Church*, 2012 WL 1413978 (Del. Super. Feb 16, 2012) (ORDER).

denial,<sup>3</sup> for postconviction relief,<sup>4</sup> and for appointment of counsel.<sup>5</sup>

5. This motion is very similar to Defendant's first postconviction relief motion. Mostly, it appears to be an untimely request for reargument. It may be that Defendant simply filed this motion to perfect an appeal from the denial of his second motion for appointment of counsel, then-deemed interlocutory.<sup>6</sup>

6. After appropriate review, it appears Defendant's second motion for postconviction relief is procedurally barred. That considers his claim under the "interest of justice" excuse, which the earlier orders specifically addressed, and Defendant has presented nothing new.

For the foregoing reasons and as presented in the earlier orders, Defendant's second motion for postconviction relief is **SUMMARILY DISMISSED**. The Prothonotary **SHALL** notify Defendant.

**IT IS SO ORDERED.**

Date: August 18, 2015

/s/ Fred S. Silverman  
Judge

cc: Prothonotary (Criminal)  
Annemarie Puit, Deputy Attorney General  
Michael L. Church, *pro se*, Defendant

---

<sup>3</sup> *State v. Church*, 2012 WL 1415763 (Del. Super. Mar. 2, 2012) (ORDER).

<sup>4</sup> *State v. Church*, 2013 WL 3422490 (Del. Super. June 25, 2013) (ORDER).

<sup>5</sup> *State v. Church*, 2013 WL 5786176 (Del. Super. Sept. 23, 2013) (ORDER).

<sup>6</sup> *Church v. State*, 2015 WL 1243731 (Del. Mar. 17, 2015) (ORDER) (TABLE).