

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

STATE OF DELAWARE,	)	
	)	
Plaintiff,	)	
v.	)	
	)	
Gerron Lindsey,	)	Cr. ID. No. 0002019767
	)	
Defendant.	)	
	)	

Submitted: March 5, 2014
Decided: April 9, 2014

Upon Commissioner's Report and Recommendation that Defendant's Ninth *Pro Se*
Motion for Postconviction Relief should be Denied.

ADOPTED

ORDER

This 9th day of April, 2014, the Court has considered the Commissioner's Report and Recommendation, Defendant's Motion for Postconviction Relief, and the relevant proceedings below.

On February 11, 2014, Defendant Gerron Lindsey filed his ninth *pro se* Motion for Postconviction Relief. The motion was referred to a Superior Court Commissioner in accordance with 10 *Del. C.* § 512(b) and Superior Court Criminal Rule 62 for proposed findings of fact and conclusions of law. The Commissioner

issued the Report and Recommendation on March 4, 2014. The Commissioner recommended that Defendant's Motion for Postconviction Relief be denied.

Defendant is abusing the system by filing repetitive motions.

"Within ten days after filing of a Commissioner's proposed findings of fact and recommendations . . . any party may serve and file written objections."¹

Neither party has filed an objection to the Commissioner's Report and Recommendation.

The Court holds that the Commissioner's Report and Recommendation dated March 4, 2014, should be adopted for the reasons set forth therein. The Commissioner's findings are not clearly erroneous, are not contrary to law, and are not an abuse of discretion.²

THEREFORE, after careful and *de novo* review of the record in this action, the Court hereby accepts the Commissioner's Report and Recommendation in its entirety. Defendant's Motion for Postconviction Relief is hereby **DENIED**.

Defendant is prohibited from filing any further Motions for Postconviction Relief unless the Motion is approved by the Court.

IT IS SO ORDERED.

/s/ _____

The Honorable Mary M. Johnston

¹ Super. Ct. Crim. R. 62(a)(5)(ii).

² Super. Ct. Crim. R. 62(a)(4)(iv).