

**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 Fifth Motion for Postconviction Relief –
*SUMMARILY DISMISSED***

1. On August 2, 2013, the court received the Supreme Court’s mandate affirming the April 11, 2013 dismissal of Defendant’s fourth motion for postconviction relief.

2. On May 8, 2014, Defendant filed his fifth motion for postconviction relief. It is unclear why the motion was not referred to chambers until August 13, 2014, but other than that the referral was proper.¹

3. Upon preliminary review,² it appears that just as Defendant’s third and fourth motions for postconviction relief were repetitive, so is this one. Defendant’s fifth motion for postconviction relief is another, serial filing.

¹ Super. Ct. Crim. R. 61(d)(1).

² Super. Ct. Crim. R. 61(d)(4).

4. 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." The court also found that was what Defendant's fourth motion for postconviction was. Now, the same can be said about this fifth motion for postconviction relief.

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

6. On the other hand, the court continues to question why the Attorney General will not agree, after twenty years, to cut Defendant's prison sentence and allow him to be deported.

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

IT IS SO ORDERED.

Date: August 18, 2014 /s/ Fred S. Silverman
Judge

cc: Prothonotary (Criminal)
Kathleen M. Jennings, State Prosecutor
Martin O'Connor, Deputy Attorney General
John A. Taylor, Defendant