

IN THE SUPREME COURT OF THE STATE OF DELAWARE

STEVEN D. MILLER, Sr.,	§
	§
Defendant Below,	§ No. 608, 2015
Appellant,	§
	§
v.	§ Court Below: Superior Court
	§ of the State of Delaware
STATE OF DELAWARE,	§ Cr. ID No. 0801008964
	§
Plaintiff Below,	§
Appellee.	§

Submitted: December 17, 2015
Decided: January 19, 2016

Before **STRINE**, Chief Justice; **VAUGHN**, and **SEITZ**, Justices.

ORDER

This 19th day of January 2016, after careful consideration of the appellant’s opening brief, the State’s motion to affirm, and the record on appeal, the Court concludes that the judgment below should be affirmed on the basis of the Superior Court’s well-reasoned decision dated October 15, 2015.¹ The Superior Court did not err in concluding that the appellant's untimely motion for postconviction relief was procedurally barred by Superior Court Criminal Rule 61(i)(1) and that the motion failed to satisfy the pleading requirements of Superior Court Criminal Rule 61(d)(2)(i) or 61(d)(2)(ii) in order to overcome the procedural bar.

¹ *State v. Miller*, 2015 WL 6437481 (Del. Oct. 15, 2015).

NOW, THEREFORE, IT IS ORDERED that the motion to affirm is GRANTED and the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Justice