

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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|--------------------|-------------------------------|
| JOHN M. FRANKLIN, | § |
| | § No. 240, 2014 |
| Defendant-Below, | § |
| Appellant, | § |
| | § |
| v. | § Court Below: Superior Court |
| | § of the State of Delaware, |
| STATE OF DELAWARE, | § in and for Sussex County |
| | § Cr. ID 0304010407C |
| Plaintiff-Below, | § |
| Appellee. | § |

Submitted: June 26, 2014

Decided: July 22, 2014

Before **STRINE**, Chief Justice, **HOLLAND**, and **RIDGELY**, Justices

ORDER

This 22nd day of July 2014, after careful consideration of appellant John Franklin’s opening brief and the State’s motion to affirm, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court’s well-reasoned opinion dated April 30, 2014. The Superior Court did not err in concluding that Franklin’s fourth motion for postconviction relief was procedurally barred and that he had failed to overcome the procedural hurdles. We also find no abuse of the Superior Court’s discretion in denying Franklin’s request for the appointment of counsel.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Leo E. Strine, Jr. _____

Chief Justice