

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GLEN W. DUCOTE,	§
	§
Defendant Below,	§ No. 354, 2014
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID No. 0305001806
Plaintiff Below,	§
Appellee.	§

Submitted: September 3, 2014
Decided: September 30, 2014

Before **HOLLAND, RIDGELY, and VALIHURA**, Justices.

ORDER

This 30th day of September 2014, after careful consideration of the appellant's opening brief, the appellee's motion to affirm, and the record below, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's order, dated June 6, 2014, adopting the well-reasoned report and recommendations of the Commissioner, dated April 3, 2014. The Superior Court did not err in concluding that the appellant's third motion for postconviction relief was procedurally barred and that the appellant had failed to overcome the procedural hurdles. The Superior Court also did not err in holding that the appellant was not entitled to appointment of counsel on his third motion for

postconviction relief and that he had not established good cause for appointment of counsel.

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

BY THE COURT:

/s/ Henry duPont Ridgely
Justice