

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RAYMOND WOOD, SR.,	§
	§
Defendant Below-	§ No. 224, 2015
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for Sussex County
	§ Cr. ID 1304026601
Plaintiff Below-	§
Appellee.	§

Submitted: July 27, 2015
Decided: September 10, 2015
Corrected: October 8, 2015

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

ORDER

This 8th day of October 2015, after careful consideration of appellant Raymond Wood’s opening brief and the State’s motion to affirm, we find it manifest that the judgment below denying Wood’s motion for postconviction relief as untimely under Superior Court Criminal Rule 61(i)(1) should be affirmed. Wood’s untimely motion failed to overcome the procedural hurdle of Rule 61(i)(1) because it failed to plead with particularity a claim that (i) new evidence exists that creates a strong inference that Wood is actually innocent; or (ii) a new rule of constitutional

law made retroactive to cases on collateral review renders Wood's convictions invalid.¹

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

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Justice

¹ Del. Super. Ct. R. 61(d)(2), (i)(5) (effective June 4, 2014).