

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STATE OF DELAWARE)
)
 v.) ID#: 1705014383A&B
)
HAYWOOD JOHNSON,)
)
 Defendant.)

Upon Commissioner’s Report and Recommendation that Defendant’s Motion for Postconviction Relief should be denied -- **ADOPTED**

ORDER

This 7th day of January, 2019, the Court having considered the Commissioner’s Findings of Fact and Recommendations, it appears to the Court that:

1. On July 5, 2018, Haywood Johnson filed a timely *pro se* motion for postconviction relief (the “Postconviction Motion”). The Court referred the Postconviction Motion to a Superior Court Commissioner under 10 *Del. C.* § 512 and Superior Court Criminal Rule 62. On December 6, 2018, the Commissioner issued her findings of fact and recommendation (the “Report”). Under Rule 62, a party objecting to any portion of a Commissioner’s findings of fact and recommendations may serve and file written objections within 10 days of the report’s filing.¹ Although 28 days have passed since the Commissioner issued her Report, Johnson has not filed any objections. Johnson therefore has waived any

¹ Super. Ct. Crim. R. 62(a)(5)(ii).

objections to the Report.² Accordingly, the Court hereby adopts the Commissioner's Report in its entirety. Defendant's Postconviction Motion is **DENIED.**

IT IS SO ORDERED.



Abigail M. LeGrow, Judge

Enclosures

Original to Prothonotary

cc: Rebecca Song, Deputy Attorney General
Raymond Armstrong, Esquire
Haywood Johnson, *pro se*, SBI# 387013

² *Maniscalco v. State*, 2017 WL 443725, at *2 (Del. Jan. 10, 2017).