

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RODERICK DAVIS,	§
	§
Defendant Below,	§ No. 31, 2019
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID No. 86010428DI (N)
	§
Plaintiff Below,	§
Appellee.	§

Submitted: April 1, 2019
Decided: May 10, 2019

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

ORDER

After careful consideration of the appellant’s opening brief, the motion to affirm, and the record on appeal, we conclude that the judgment below should be affirmed on the basis of and for the reasons assigned by the Superior Court’s order, dated December 21, 2018, dismissing the appellant’s third motion for postconviction relief. The Superior Court did not err in determining that the motion was procedurally barred and did not satisfy the pleading requirements of Superior Court Criminal Rule 61(i)(5) or 61(d)(2).

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

BY THE COURT:

/s/ Gary F. Traynor
Justice