

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DAVID T. YARBOROUGH,	§
	§
Defendant Below,	§ No. 187, 2020
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID Nos. 1202006406
	§ 1201018253
Plaintiff Below,	§ 1402013417
Appellee.	§

Submitted: August 6, 2020  
Decided: August 25, 2020

Before **SEITZ**, Chief Justice; **VALIHURA** and **MONTGOMERY-REEVES**, Justices.

**ORDER**

After careful consideration of the appellant’s opening brief, the State’s 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 April 21, 2020, adopting the Commissioner’s Report and Recommendation dated October 2, 2019, and denying the appellant’s motion for postconviction relief.

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

BY THE COURT:

/s/ Collins J. Seitz, Jr.  
Chief Justice