

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ISAIAS R. ORTIZ,	§
	§
Defendant Below,	§ No. 3, 2021
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID No. 0210012072 (N)
	§
Plaintiff Below,	§
Appellee.	§

Submitted: March 10, 2021

Decided: April 7, 2021

Before **VALIHURA, VAUGHN**, and **TRAYNOR**, Justices.

ORDER

After careful consideration of the appellant’s opening brief, the appellee’s motion to affirm, and the record on appeal, we conclude that the judgment below should be affirmed on the basis of the Superior Court’s order, dated September 21, 2020, summarily dismissing the appellant’s fourth motion for postconviction relief and, and the Superior Court’s order, dated December 1, 2020, denying the appellant’s motion for reargument. The appellant did not plead with particularity new evidence of actual innocence or that a new, retroactive rule of constitutional law rendered his convictions invalid.¹ Nor did he assert any claim that the Superior Court

¹ Super. Ct. Crim. R. 61(d)(2).

lacked jurisdiction.²

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/ James T. Vaughn, Jr.
Justice

² Super. Ct. Crim. R. 61(i)(5).