

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KADIR MCCOY,	§
	§ No. 419, 2023
Defendant Below,	§
Appellant,	§ Court Below–Superior Court
	§ of the State of Delaware
v.	§
	§ Cr. ID No. 1501018069 (N)
STATE OF DELAWARE,	§
	§
Appellee.	§

Submitted: January 22, 2024

Decided: March 25, 2024

Before **SEITZ**, Chief Justice; **LEGROW** and **GRIFFITHS**, Justices.

ORDER

After consideration of the appellant’s opening brief, the appellant’s motion for an evidentiary hearing, 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 stated by the Superior Court in its November 2, 2023 order summarily dismissing the appellant’s fourth motion for postconviction relief. In connection with this appeal, the appellant also filed a motion to compel the Superior Court to transfer a USB drive to the Court. This motion is MOOT because the USB drive was included in the record that the Superior Court forwarded to the Court.

NOW, THEREFORE, IT IS ORDERED that the State's motion to affirm is GRANTED and the judgment of the Superior Court is AFFIRMED. The appellant's motion for an evidentiary hearing is DENIED.

BY THE COURT:

/s/ N. Christopher Griffiths
Justice