

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ANDREW J. HEVERIN,	§
	§ No. 173, 2008
Defendant Below,	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 0705006983
Plaintiff Below,	§
Appellee.	§

**ORDER**

This 24<sup>th</sup> day of September 2008, it appears to the Court that the State has filed a motion to remand this appeal with directions for the Superior Court to enter a post-trial order of dismissal of the criminal charges against the appellant. The State's confession of error is laudable and in the highest traditions of the Delaware Bar. The appellant consents to the State's motion.

NOW, THEREFORE, IT IS HEREBY ORDERED that the within appeal is REMANDED to the Superior Court with directions to allow the entry of an order of dismissal. Jurisdiction is not retained.

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice