

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DERRIS GIBSON,	§	
	§	No. 358, 1999
Defendant Below,	§	Court Below: Superior Court
Appellant,	§	of the State of Delaware in
	§	and for New Castle County
v.	§	
	§	Cr.A. Nos. IN91-11-1699R2
STATE OF DELAWARE,	§	through IN-91-11-1703R2
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: May 16, 2000

Decided: May 22, 2000

Before **VEASEY**, Chief Justice, **WALSH** and **HOLLAND**, Justices.

ORDER

This 22nd day of May, the Court, having carefully considered the decision and judgment of the Superior Court dated July 13, 1999, together with the briefs filed by the parties, has determined as follows:

To the extent that: (a) the issues raised on appeal are factual, the record evidence supports the trial judge's factual findings; (b) the errors alleged on appeal are attributed to an abuse of discretion, the record does not support those assertions; (c) the issues raised on appeal are legal, they are controlled by settled Delaware law, which was properly applied.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is **AFFIRMED**.

BY THE COURT:

/s/ E. Norman Veasey

Chief Justice