

IN THE SUPREME COURT OF THE STATE OF DELAWARE

TRAVIS DANIELS,	§	
	§	
Defendant Below-	§	No. 265, 2004
Appellant,	§	
	§	
v.	§	Court Below---Superior Court
	§	of the State of Delaware,
	§	in and for Sussex County
STATE OF DELAWARE,	§	Cr. A. Nos. 98-05-0602; 0603
	§	
Plaintiff Below-	§	
Appellee.	§	

Submitted: September 11, 2004  
Decided: January 7, 2005

Before **HOLLAND, BERGER** and **RIDGELY**, Justices

**ORDER**

This 7<sup>th</sup> day of January 2005, the Court has considered the appellee's motion to affirm pursuant to Supreme Court Rule 25(a) and finds it manifest on the face of the appellant's opening brief that the appeal is without merit for the reasons stated by the Superior Court in its well-reasoned decision dated May 28, 2004.

NOW, THEREFORE, IT IS ORDERED that the appellee's motion to affirm is GRANTED. The judgment of the Superior Court is AFFIRMED.<sup>1</sup>

BY THE COURT:

/s/ Carolyn Berger  
Justice

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<sup>1</sup> To the extent the appellant seeks to present claims not presented to the Superior Court in the first instance, we decline to address those claims in this proceeding. Supr. Ct. R. 8.