

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JAMES W. YINGLING,

Petitioner Below,
Appellant,

v.

HAZEL M. YINGLING,

Respondent Below,
Appellee.

No. 323, 1999

Court Below: Family Court
of the State of Delaware,
in and for Sussex County:
File No. CS98-03239 and
Petition No. 98-04336

Submitted: March 21, 2000

Decided: March 22, 2000

Before **WALSH, HARTNETT** and **BERGER**, Justices.

ORDER

This 22nd day of March 2000, upon consideration of the briefs of the parties, we conclude that this appeal should be affirmed on the basis of, and for the reasons set forth in, the Order of the Family Court dated June 22, 1999, that held the Family Court was without jurisdiction to find that a trust existed.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Family Court be, and the same hereby is, **AFFIRMED**.

BY THE COURT:
/s/ Maurice A. Hartnett, III

Justice

