

IN THE SUPREME COURT OF THE STATE OF DELAWARE

AKEEM COLEMAN,	§	
	§	No. 208, 2004
Defendant Below,	§	
Appellant,	§	Court Below: Superior Court of
	§	the State of Delaware, in and for
v.	§	New Castle County
	§	
STATE OF DELAWARE,	§	No. 0210008663
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: February 18, 2005  
Decided: April 11, 2005

Before **STEELE**, Chief Justice, **HOLLAND** and **RIDGELY**, Justices.

**ORDER**

This 11th day of April 2005, on consideration of the briefs of the parties, it appears to the Court that:

(1) The defendant-appellant, Akeem Coleman and co-defendants, Mustafa Whitfield and Emmanuel Robinson, were jointly indicted on the following charges: (i) attempted robbery in the first degree; (ii) assault in the second degree; (iii) reckless endangering in the first degree; (iv) wearing a disguise during the commission of a felony; (v) conspiracy in the second degree; (vi) possession of a deadly weapon by a person prohibited; and (vii) three counts of possession of a firearm during the commission of a felony. Following a joint jury trial in the Superior Court, all of the

defendants were convicted on all of the charges except for one count of possession of a firearm during the commission of a felony and possession of a deadly weapon by a person prohibited, as to which all defendants were found not guilty.

(2) Coleman raises three arguments in support of his direct appeal. However, we have previously rejected those very same arguments in co-defendant Whitfield's direct appeal to this Court.<sup>1</sup> Moreover, both parties now agree that our decision in *Whitfield* is controlling authority in the present appeal. We therefore reject Coleman's appellate arguments on the basis of our reasoning in *Whitfield*.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgments of conviction against Akeem Coleman entered by the Superior Court are AFFIRMED.

BY THE COURT:

/s/Henry duPont Ridgely  
Justice

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<sup>1</sup> *Whitfield v. State*, 867 A.2d 168 (Del. 2004).