

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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|----------------------|--------------------------------|
| DIANA MILLER, | § |
| | § No. 598, 2012 |
| Plaintiff Below, | § |
| Appellant, | § Court Below – Superior Court |
| | § of the State of Delaware, |
| v. | § in and for New Castle County |
| | § C.A. No. 08C-07-231 |
| STATE OF DELAWARE | § |
| DEPARTMENT OF PUBLIC | § |
| SAFETY, | § |
| | § |
| Defendants Below, | § |
| Appellee. | § |

Submitted: September 18, 2013

Decided: September 19, 2013

Before **HOLLAND, JACOBS** and **RIDGELY**, Justices.

This 19th day of September 2013, the Court having considered this matter after oral argument and on the briefs filed by the parties has determined that the final judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its memorandum opinion dated October 11, 2012.

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

BY THE COURT:

/s/ Randy J. Holland
Justice