

IN THE SUPREME COURT OF THE STATE OF DELAWARE

PETE ANDERSON,	§
	§
Defendant Below-	§ No. 66, 2005
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 91009594DI
Plaintiff Below-	§
Appellee.	§
	§

Submitted: April 1, 2005  
Decided: May 10, 2005

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

**ORDER**

This 10<sup>th</sup> day of May 2005, upon consideration of the parties' briefs and the record on appeal, it appears to the Court that:

(1) The defendant-appellant, Pete Anderson, filed this appeal from the Superior Court's judgment denying his motion for correction of sentence. Anderson pled guilty in 1992 to first degree assault and a related weapon offense. The Superior Court sentenced Anderson to a total period of thirty years imprisonment. Since then, Anderson has filed a variety of motions seeking to challenge his sentence. In his latest motion, Anderson argues that: (i) his sentence on the weapon conviction is illegal because it

exceeded the sentencing guidelines; and (ii) his sentence on the assault conviction was improperly enhanced on the basis of wrong information concerning Anderson's prior criminal record.

(2) Having carefully considered the parties' respective positions, we find it manifest that the judgment of the Superior Court should be affirmed. This Court previously has rejected the issues Anderson raises in his opening brief.<sup>1</sup> The nonbinding sentencing guidelines provide no basis for Anderson to challenge his statutorily authorized sentences.<sup>2</sup> The Superior Court did not err in rejecting Anderson's repetitive motion.

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

BY THE COURT:

/s/Henry duPont Ridgely  
Justice

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<sup>1</sup> *Anderson v. State*, 2001 WL 1751221 (Del. Oct. 12, 2001).

<sup>2</sup> *Mayes v. State*, 604 A.2d 839, 846 (Del. 1992).