

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RAPHAEL F. NEVINS,	§
	§ No. 251, 2005
Plaintiff Below-	§
Appellant,	§
	§ Court Below-Court of Chancery
v.	§ of the State of Delaware
	§ in and for New Castle County
GEORGE BRYAN, DEANWHITLA,	§ C.A. No. 19975
WILLIAM SCHULER, CAROLYN	§
TINKER, VICKI IRVING, and THE	§
CENTERFOR THE ADVANCEMENT	§
OF DISTANCE EDUCATION IN	§
RURAL AMERICA, a corporation,	§
	§
Defendants Below-	§
Appellees.	§

Submitted: August 10, 2005

Decided: October 6, 2005

Before **STEELE**, Chief Justice, **BERGER** and **RIDGELY**, Justices

ORDER

This 6th day of October 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 Court of Chancery in its well-reasoned decision dated May 4, 2005, and revised May 17, 2005. We find no error or abuse of discretion on the part of the Court of Chancery.

NOW, THEREFORE, IT IS ORDERED that the appellee's motion to affirm is GRANTED. The judgment of the Court of Chancery is AFFIRMED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice