

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BRAHEEM POTEAT,	§
	§ No. 219, 2005
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID No. 0204003487
	§
Plaintiff Below-	§
Appellee.	§

Submitted: October 7, 2005  
Decided: November 23, 2005

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

**ORDER**

This 23<sup>rd</sup> day of November 2005, upon consideration of the briefs on appeal and the record below, it appears to the Court that the judgment of the Superior Court should be affirmed on the basis of and for the reasons set forth in its decision dated May 3, 2005.

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

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice