

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY**

STATE OF DELAWARE)	
)	
v.)	Case No. 0803022425A
)	
ORVILLE J. SMULLEN,)	
)	
Defendant.)	

**ORDER GRANTING DEFENDANT’S MOTION FOR SENTENCE MODIFICATION
AND (2) MODIFYING SENTENCE OF ORVILLE J. SMULLEN**

Upon consideration of the motion for sentence modification (the “Motion”) filed by Orville J. Smullen, the documents filed in support of the Motion, and the Review of Sentence hearing that took place on February 14, 2013,

IT IS HEREBY ORDERED that the Motion is GRANTED;

IT IS HEREBY FURTHER ORDERED that Orville J. Smullen’s sentence on Case No. 0803022425A, Criminal Action No. IN08032629 (Possession of a Controlled Substance Within 1000 Feet of a School) is MODIFIED as follows:

Effective March 17, 2008, the defendant is sentenced to 3 years at supervision Level 5. Thereafter, pursuant to 11 Del. Code § 4204(1), the defendant is to serve 6 months supervision Level 4 Plummer Center; to be held at supervision Level 5 until space is available at supervision Level 4 Plummer Center.

IT IS SO ORDERED this 20th day of February, 2013.

/s/ Eric M. Davis
Eric M. Davis
Judge