

IT IS FURTHER FOUND AND DETERMINED that Mr. Elliott has failed to demonstrate the sentence imposed in this criminal action is an illegal sentence subject to modification under Superior Court Criminal Rule 35(a); and

IT IS FURTHER FOUND AND DETERMINED that Mr. Elliott has failed to demonstrate “extraordinary circumstances” as required under Superior Court Criminal Rule 35; and

IT IS HEREBY ORDERED, this 5th day of April, 2013, that the Motion to Modify is **DENIED.**

/s/ Eric M. Davis

Eric M. Davis
Judge

cc: Prothonotary
Michael W. Modica, Esq.
Cynthia L. Faraone, Esq.