

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

STATE OF DELAWARE,                    )  
  )  
                  v.                            ) ID No. 0704017095  
  )  
DAVID BROWN,                         )  
  )  
  )  
                                  Defendant.    )

Submitted: March 13, 2009  
Decided: March 27, 2009

On Remand on Defendant’s Motion for Judgment of Acquittal

Defendant’s Conviction for Maintaining a Vehicle  
**REVERSED**

**ORDER**

Timothy J. Donovan, Jr., Esquire, Department of Justice, Attorney for the State of Delaware

Bernard J. O’Donnell, Esquire, Attorney for Defendant

JOHNSTON, J.

1. In September 2007, defendant David Brown was tried by a jury. The jury found defendant guilty of Possession with Intent to Deliver Marijuana and Maintaining a Vehicle for Keeping Marijuana.

2. By opinion decided February 18, 2009, the Supreme Court found that the Superior Court had erred, as a matter of law, in denying defendant's motion for judgment of acquittal. The Supreme Court reversed the judgment of conviction for Maintaining a Vehicle, and remanded for further proceedings.

**THEREFORE**, defendant's judgment of conviction for Maintaining a Vehicle for Keeping Marijuana is hereby **VACATED**. The conviction for Possession with Intent to Deliver Marijuana remains.

**IT IS SO ORDERED.**

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The Honorable Mary M. Johnston