

IN THE SUPREME COURT OF THE STATE OF DELAWARE

XARIA XISHUN,	§
	§
Petitioner Below-	§ No. 153, 2007
Appellant,	§
	§
v.	§ Court Below—Family Court
	§ of the State of Delaware,
THOMAS SMITH,	§ in and for New Castle County
	§ File No. CN02-10363
Defendant Below-	§ Petition No. 06-02250
Appellee.	§

Submitted: September 17, 2007

Decided: December 17, 2007

Before **BERGER, JACOBS**, and **RIDGELY**, Justices.

**ORDER**

This 17<sup>th</sup> day of December 2007, after careful consideration of appellant's opening brief and appellee's motion to affirm, we find it manifest that the Family Court decision on appeal, which denied appellant's motion for reargument below, should be affirmed. It is clear that appellant's motion for reargument was not filed within the required ten-day period set forth in Family Court Civil Rule 59(e).

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

BY THE COURT:

/s/ Jack B. Jacobs  
Justice