

IN THE SUPREME COURT OF THE STATE OF DELAWARE

VERNON BAILEY,	§
	§
Defendant-Appellant Below,	§ No. 163, 2002
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID No. 0010007932
Plaintiff-Appellee Below,	§
Appellee.	§

Submitted: July 12, 2002

Decided: August 28, 2002

Before **VEASEY**, Chief Justice, **WALSH** and **STEELE**, Justices

**ORDER**

This 28<sup>th</sup> day of August 2002, 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 decisions dated December 12, 2001, February 1, 2002, and February 25, 2002.<sup>1</sup>

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<sup>1</sup>We also have reviewed appellant's claim that the prosecutor at his Court of Common Pleas trial acted improperly, a claim that was presented to, but was not addressed by, the Superior Court. We conclude, based upon our review of the record, that the claim is without merit.

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

BY THE COURT:

/s/ E. Norman Veasey  
Chief Justice