

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHN PETSINGER,	§
	§
Defendant Below-	§ No. 422, 2002
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for Sussex County
STATE OF DELAWARE,	§ Cr. ID No. 30306671DI
	§
Plaintiff Below-	§
Appellee.	§

Submitted: August 1, 2002  
Decided: August 28, 2002

Before **VEASEY**, Chief Justice, **WALSH**, and **HOLLAND**, Justices.

**ORDER**

This 28<sup>th</sup> day of August 2002, after careful consideration of the appellant's opening brief, the State's motion to affirm, and the record, we find it manifest that the judgment of the Superior Court should be affirmed on the basis of the Superior Court's well-reasoned decision dated June 28, 2002. The Superior Court did not err in concluding that Petsinger lacked standing to pursue a motion for postconviction relief because Petsinger had been discharged as unimproved from his probationary sentence in March 2000.\*

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\* See *Guinn v. State*, No. 549, 1992, Walsh, J. (Apr. 21, 1993).

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

BY THE COURT:

s/Joseph T. Walsh  
Justice