

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHN E. SCHMITZ,	§ No. 226, 2002
	§
Defendant Below,	§
Appellant,	§ Court Below – Superior Court
	§ of the State of Delaware,
v.	§ in and for Kent County
	§ Cr.A. No. IK-97-05-0091-R1
STATE OF DELAWARE,	§
	§ Cr. I.D. No. 9705000274
Plaintiff Below,	§
Appellee.	§

Submitted: August 13, 2002

Decided: August 27, 2002

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

This 27th day of August 2002, the Court having considered this matter on the briefs filed by the parties has determined that the final judgments of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its well-reasoned decisions dated February 12, 2001 and March 28, 2002.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgments of the Superior Court be, and the same hereby are, AFFIRMED.

BY THE COURT:

s/s Randy J. Holland
Justice