

THE SUPREME COURT OF THE STATE OF DELAWARE

DAMMEYIN A. JOHNSON,	§
	§
Defendant Below-	§ No. 50, 2008
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID No. 9709009665
Plaintiff Below-	§
Appellee.	§

Submitted: May 23, 2008
Decided: August 28, 2008

Before **STEELE**, Chief Justice, **HOLLAND** and **RIDGELY**, Justices.

ORDER

This 28th day of August 2008, after careful consideration of the parties' briefs, we find that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned decision dated January 10, 2008. The Superior Court did not err in holding that appellant was not entitled to credit toward his sentence on sexual assault charges for the time he served on an unrelated drug trafficking charge.¹

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

BY THE COURT:

/s/ Randy J. Holland
Justice

¹ See *In re Toth*, 2003 WL 733551 (Mar. 4, 2003).