

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KENNETH ADAMS,)
) No. 581, 2002
 Defendant Below,)
 Appellant,) Court Below: Superior Court
 v.) of the State of Delaware in
) and for New Castle County
)
 STATE OF DELAWARE,) Cr. ID. No. 0112004283
)
 Plaintiff Below,)
 Appellee.)

Submitted: April 22, 2003
Decided: April 29, 2003

Before, **HOLLAND, BERGER** and **STEELE** Justices.

ORDER

This 29th day of April 2003, the Court, having carefully considered the decision and judgment of the Superior Court dated October 16, 2002, together with the briefs filed by the parties, has determined as follows:

To the extent that: (a) the issues raised on appeal are factual, the record evidence supports the trial judge's factual findings; (b) the errors alleged on appeal are attributed to an abuse of discretion, the record does not support those assertions; (c) the issues raised on appeal are legal, they are controlled by settled Delaware law, which was properly applied.

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

BY THE COURT:

/s/ Myron T. Steele
Justice