IN THE SUPREME COURT OF THE STATE OF DELAWARE

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) No. 352, 2003
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) Court Below: Superior Court
) of the State of Delaware in
) and for New Castle County
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) C.A. No. 02A-08-015
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Submitted: November 4, 2003 Decided: November 12, 2003

Before VEASEY, Chief Justice, HOLLAND, and STEELE, Justices.

ORDER

This 12th day of November, 2003, upon consideration of the briefs of the parties, and given our standard of review 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 Order dated June 20, 2003.

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

BY THE COURT:

<u>/s/ Myron T. Steele</u> Justice