

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BENJAMIN F. WHITEMAN,	§
	§
Defendant Below-	§ No. 71, 2009
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 30901716DI and
Plaintiff Below-	§ 30604628DI
Appellee.	§

Submitted: March 23, 2009

Decided: April 27, 2009

Corrected: August 3, 2009

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

This 3rd day of August 2009, after careful consideration of the opening brief and the State's motion to affirm, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned decision dated February 4, 2009. Whiteman has filed numerous unsuccessful motions and writs challenging, for various reasons, the legality of his 1989 life sentence as a habitual offender. The Superior Court committed no error in denying Whiteman's latest repetitive and frivolous motion for correction of sentence.

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

BY THE COURT:

/s/ Randy J. Holland
Justice