

IN THE SUPREME COURT OF THE STATE OF DELAWARE

WILLIAM PORTER,	§
	§ No. 69, 2010
Claimant and Appellant Below,	§
Appellant,	§ Court Below – Superior Court
	§ of the State of Delaware,
v.	§ in and for Sussex County
	§ C.A. No. S09-07-001
DAISY CONSTRUCTION CO.,	§
	§
Employer and Appellee Below,	§
Appellee.	§

Submitted: September 29, 2010

Decided: October 11, 2010

Before **STEELE**, Chief Justice, **HOLLAND**, **BERGER**, **JACOBS** and **RIDGELY**, Justices, constituting the Court *en Banc*.

**ORDER**

This 11th day of October 2010, the Court having considered this matter after oral argument and on the briefs filed by the parties has determined that the final judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its decision dated January 14, 2010.

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

BY THE COURT:

/s/ Randy J. Holland

Justice