

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MELVIN KELLUM,

Defendant Below,
Appellant,

v.

STATE OF DELAWARE,

Plaintiff Below,
Appellee.

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No. 348, 2010

Court Below:
Superior Court of the
State of Delaware, in and
for New Castle County

Cr. I.D. No. 0603009059

Submitted: January 19, 2011

Decided: January 21, 2011

Before **BERGER, JACOBS** and **RIDGELY**, Justices.

ORDER

This 21th day of January 2011, the Court, having considered this matter on the briefs and oral arguments of the parties, and having concluded that the same should be affirmed on the basis of and for the reasons assigned by the Superior Court in its decision of May 19, 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/ Carolyn Berger
Justice