IN THE SUPREME COURT OF THE STATE OF DELAWARE

TSCHAKA W. FORTT, § § Defendant Below, § No. 156, 2002 Appellant, § **§** Court Below: Superior Court § of the State of Delaware in and v. § for New Castle County § Cr. ID No. 9710005008 STATE OF DELAWARE, § § Plaintiff Below, Appellee. §

> Submitted: August 6, 2002 Decided: August 8, 2002

BEFORE WALSH, HOLLAND, and STEELE, Justices,

<u>order</u>

This 8th day of August 2002, upon consideration of the briefs of the parties, we conclude that this appeal should be affirmed on the basis of, and for the reasons set forth in, the decision of the Superior Court dated March 13, 2002.

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

AFFIRMED.

BY THE COURT:

<u>s/Joseph T. Walsh</u> Justice