

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOSEPH A. PIHS, JR.,	§	
	§	No. 189, 2014
Plaintiff Below,	§	
Appellant,	§	Court Below:
	§	
v.	§	Superior Court of the
	§	State of Delaware, in and for
GIOVANNI PITTARI,	§	Kent County
	§	
Defendant Below,	§	C. A. No. K12C-03-027
Appellee.	§	

Submitted: October 15, 2014

Decided: October 23, 2014

Before **STRINE**, Chief Justice, **HOLLAND** and **VALIHURA**, Justices.

**ORDER**

This 23<sup>rd</sup> day of October 2014, upon consideration of the parties' briefs and the record below, it appears to the Court that Appellant Joseph Pihs, Jr. ("Pihs") raises two issues on appeal. First, he argues that the Superior Court erred in denying his motion for judgment as a matter of law on the issue of Appellee Giovanni Pittari's ("Pittari") negligence. Second, he argues that the Superior Court erred in denying his request for a jury instruction concerning a claim under 21 *Del. C.* § 4168(a). We find Superior Court's decisions to deny the motion for judgment as a matter of law and to deny the request to give the jury instruction should be affirmed on the basis of and for the reasons assigned by the Superior Court in its rulings on March 25, 2014.

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

BY THE COURT:

/s/ Karen L. Valihura  
Justice