

IN THE SUPREME COURT OF THE STATE OF DELAWARE

KARL N. DISALVO, JR.,

Defendant Below,
Appellant,

v.

FINANCIAL PACIFIC LEASING,
INC.,

Plaintiff Below,
Appellee.

§

§ No. 146, 2017

§

§ Court Below—Superior Court
§ of the State of Delaware

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§ C.A. No. S16C-11-020

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Submitted: September 15, 2017

Decided: November 21, 2017

Before **STRINE**, Chief Justice; **VALIHURA** and **TRAYNOR**, Justices.

ORDER

This 21st day of November 2017, after careful consideration of the parties' briefs and the record below, the judgment of the Superior Court is affirmed on the basis of and for the reasons stated in its March 31, 2017 bench ruling and April 10, 2017 order. As the Superior Court recognized at the March 31, 2017 hearing: (i) the defendant below-appellant, Karl N. DiSalvo, Jr., failed to answer the complaint and his excuses did not justify that failure;¹ (ii) DiSalvo obtained a loan for the purchase of a Kenworth truck, but stopped making payments on the loan; (iii) the Vehicle

¹ DiSalvo does not address this ruling on appeal.

Identification Number in the financing documents matched the Vehicle Identification Number for the truck in DiSalvo's possession; and (iv) the plaintiff below-appellee, Financial Pacific Leasing, Inc., was entitled to a writ of replevin for the truck and entry of judgment in the amount of \$65,108.66.

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

BY THE COURT:

/s/ Leo E. Strine, Jr.

Chief Justice