

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MILLARD E. PRICE,	§
	§ No. 385, 2017
Petitioner Below,	§
Appellant,	§ Court Below—Superior Court
	§ of the State of Delaware
v.	§
	§ C.A. No. S17M-01-001
COMMISSIONER ROBERT	§
COUPE,	§
	§
Respondent Below,	§
Appellee.	§

Submitted: February 9, 2018

Decided: April 2, 2018

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

ORDER

This 2nd day of April 2018, after careful consideration of the parties' briefs and the record on appeal, the Court concludes that the judgment below should be affirmed on the basis of and for reasons assigned by the Superior Court in its well-reasoned decision dated August 22, 2017. The appellant's arguments concerning new information he received from the Department of Correction after he mailed his notice of appeal and his liberty interest in good time credit under 11 *Del. C.*

§ 4381(d) were not fairly presented to the Superior Court for its consideration in the first instance and will not be considered in this appeal.¹

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

BY THE COURT:

/s/ Leo E. Strine, Jr. _____

Chief Justice

¹ Supr. Ct. R. 8. Due to this appeal, the Superior Court has not taken any action on the motion for a new trial based on the new Department of Correction information that the appellant filed one month after he filed this appeal.