

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BENJAMIN WHITEMAN,	§
	§
Defendant Below,	§ No. 160, 2020
Appellant,	§
	§
v.	§ Court Below–Superior Court
	§ of the State of Delaware
STATE OF DELAWARE,	§
	§ Cr. ID No. 30901716DI (N)
Plaintiff Below,	§
Appellee.	§
	§

Submitted: November 2, 2020
Decided: December 10, 2020

Before **VAUGHN, TRAYNOR**, and **MONTGOMERY-REEVES**, Justices.

ORDER

After careful consideration of the appellant’s opening brief, the State’s motion to affirm, and the Superior Court record, we conclude that the judgment below should be affirmed on the basis of and for the reasons assigned by the Superior Court in its April 28, 2020 order denying the appellant’s request for a certificate of eligibility to file for sentence modification under 11 *Del. C.* § 4214(f) and Superior Court Special Rule of Procedure 2017-1(d).¹

NOW, THEREFORE, IT IS ORDERED that the State’s motion to affirm is GRANTED, and the judgment of the Superior Court is AFFIRMED.

¹ *State v. Whiteman*, 2020 WL 2050664 (Del. Apr. 28, 2020).

BY THE COURT:

/s/ Gary F. Traynor
Justice