

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LEE R. FISHER,	§	
	§	
Petitioner Below-	§	No. 614, 2003
Appellant,	§	
	§	
v.	§	Court Below---Superior Court
	§	of the State of Delaware,
	§	in and for Sussex County
STATE OF DELAWARE,	§	C.A. No. 03M-11-060
	§	
Respondent Below-	§	
Appellee.	§	

Submitted: January 13, 2004
Decided: February 9, 2004

Before **BERGER, STEELE** and **JACOBS**, Justices

ORDER

This 9th day of February 2004, the Court has considered the appellee's motion to affirm pursuant to Supreme Court Rule 25(a) and finds it manifest on the face of the appellant's opening brief that the appeal is without merit for the reasons stated by the Superior Court in its well-reasoned decision dated December 3, 2003.

NOW, THEREFORE, IT IS ORDERED that the appellee's motion to affirm is GRANTED. The judgment of the Superior Court is AFFIRMED.¹

BY THE COURT:

/s/ Myron T. Steele
Justice

¹ The appellant's motion to expedite briefing is hereby denied as moot.