

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JAMES M. WAGNER,	§
	§
Petitioner Below,	§
Appellant,	§ No. 443, 2002
	§
v.	§ Court Below: Family Court
	§ of the State of Delaware in and
CAROL WAGNER,	§ for New Castle County
	§ File No. CN94-11603
Respondent Below,	§ Petition Nos. 02-04160, 02-08643,
Appellee.	§ and 02-06930

Submitted: January 7, 2003
Decided: January 8, 2003

Before VEASEY, Chief Justice, WALSH and HOLLAND, Justices.

ORDER

This 8th day of January 2003, upon consideration of the briefs of the parties, we conclude that the Family Court did not abuse its discretion in not requiring the appellee to reimburse alimony payments received prior to the date when the appellant petitioned for a reduction in alimony.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Family Court be, and the same hereby is,

AFFIRMED.

BY THE COURT:

s/Joseph T. Walsh
Justice