

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DONALD E. CAVE, JR., JAMES W.	§
BROWN, and JOHN	§
MANTAKOUNAS,	§ No. 436, 2003
	§
Petitioners Below-	§
Appellants,	§
	§
v.	§
	§ Court Below—Superior Court
NEW CASTLE COUNTY COUNCIL,	§ of the State of Delaware,
consisting of Christopher A. Coons, J.	§ in and for New Castle County
Robert Woods, Robert S. Weiner,	§ C.A. No. 02A-11-006
William J. Tansey, Penrose Hollins,	§
Karen Venezky, and Patty W. Powell,	§
CHURCHMANS CROSSING, LLC,	§
and LEON N. WEINER	§
ASSOCIATES, Inc.,	§
	§
Respondents Below-	§
Appellees.	§

Submitted: June 14, 2004

Decided: June 28, 2004

Before **STEELE**, Chief Justice, **BERGER**, and **JACOBS**, Justices.

***ORDER***

This 28<sup>th</sup> day of June, 2004, upon consideration of the briefs of the parties and the Opinion returning this matter from remand dated June 9, 2004, and given our standard of review it appears to the Court that the judgment of the Superior Court should be affirmed on the basis of and for the reasons set forth in its Order dated July 21, 2003 and its Opinion dated June 9, 2004.

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

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice