

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LOUIS D. FREEMAN,

Petitioner Below-
Appellant,

v.

MARY E. WINSTON,

Executrix Below-
Appellee.

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No. 172, 2004

Court Below-Court of Chancery
of the State of Delaware,
in and for New Castle County
Register of Wills No. 126900

Submitted: August 27, 2004

Decided: October 29, 2004

Before **STEELE**, Chief Justice, **HOLLAND** and **BERGER**, Justices

ORDER

This 29th day of October 2004, upon consideration of the briefs on appeal and the record below, it appears to the Court that, in the absence of legal error or abuse of discretion on the part of the Court of Chancery, the judgment of the Court of Chancery should be affirmed on the basis of and for the reasons set forth in its decision dated April 2, 2004.

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

BY THE COURT:

/s/ Randy J. Holland
Justice