

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CURTIS E. McALLISTER,	§	
	§	
Defendant Below-	§	No. 345, 2004
Appellant,	§	
	§	
v.	§	Court Below---Superior Court
	§	of the State of Delaware,
	§	in and for New Castle County
STATE OF DELAWARE,	§	Cr. ID No. 9703008409
	§	
Plaintiff Below-	§	
Appellee.	§	

Submitted: October 18, 2004  
Decided: December 28, 2004

Before **HOLLAND, JACOBS** and **RIDGELY**, Justices.

**ORDER**

This 28<sup>th</sup> day of December 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 July 28, 2004.

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

BY THE COURT:

/s/ Jack B. Jacobs  
Justice