

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ROBERT W. HASSETT, III,) No. 420, 2001
)
Defendant Below,) Court Below: Superior Court
Appellant,) of the State of Delaware in
) and for Sussex County
v.)
) Cr. A. Nos. S00-06-0148
STATE OF DELAWARE,) through 0149
) Cr. ID# 0005011315
Plaintiff Below,)
Appellee.)

Submitted: May 14, 2002

Decided: May 15, 2002

Before **WALSH, HOLLAND**, and **STEELE**, Justices.

ORDER

This 15th day of May, 2002, upon consideration of the briefs of the parties, and given our standard of review it appears to the Court that the judgment of the Superior Court is controlled by and should be affirmed on the basis of and for the reasons set forth in *Agard v. Portundo*, 529 U.S. 61 (2000).

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

BY THE COURT:

/s/ Myron T. Steele

Justice