

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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|---------------------------------------|---|-----------------------------|
| JOHN H. DAVIS, JR., | § | |
| | § | No. 444, 2001 |
| Plaintiff Below, | § | |
| Appellant, | § | |
| | § | |
| v. | § | Court Below: Superior Court |
| | § | of the State of Delaware |
| TOWN OF GEORGETOWN, a | § | in and for Sussex County |
| Municipal Corporation of the State of | § | C.A. No. 99C-04-006 |
| Delaware, the Mayor of Georgetown, | § | |
| the Town Council of Georgetown, the | § | |
| Chief of Police of Georgetown, and | § | |
| ROBERT RICKER, BEATRICE | § | |
| HYLBERT, MICHAEL R. WYATT, | § | |
| GARY D. TONGE, LEE J. TUREK, | § | |
| DAVID W. BAIRD and WILLIAM S. | § | |
| TOPPING, in their official and | § | |
| individual capacities, | § | |
| | § | |
| | § | |
| Defendants Below, | § | |
| Appellees. | § | |

Submitted: May 7, 2002

Decided: May 9, 2002

Before **VEASEY**, Chief Justice, **HOLLAND** and **BERGER**, Justices.

O R D E R

This 9th day of May, 2002, the Court, having considered this matter on the arguments and briefs of the parties, and having concluded that the same should be affirmed on the basis of and for the reasons assigned by the Superior Court in its order dated August 22, 2001;

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

AFFIRMED.

BY THE COURT:

/s/ Carolyn Berger
Justice