

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ANTHONY W. GUNZL,	§
	§
Plaintiff Below-	§ No. 553, 2001
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
HOME DEPOT, INC.,	§ in and for New Castle County
	§ C.A. No. 00C-04-170
Defendant Below-	§
Appellee.	§

Submitted: March 28, 2002

Decided: April 18, 2002

Before **VEASEY**, Chief Justice, **WALSH** and **HOLLAND**, Justices

ORDER

This 18th day of April 2002, 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 ruling from the bench on October 23, 2001.¹

¹See *Wahle v. Medical Center of Delaware*, 559 A.2d 1228, 1233-34 (Del. 1989).

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/Joseph T. Walsh
Justice