

IN THE SUPREME COURT OF THE STATE OF DELAWARE

FREEMAN L. CORBIN,	§
	§
Defendant Below-	§ No. 288, 2001
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr.A. No. IN96-06-0166
	§
Plaintiff Below-	§
Appellee.	§

Submitted: March 1, 2002

Decided: April 15, 2002

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

ORDER

This 15th day of April 2002, upon consideration of the parties' briefs, the Superior Court's Report Upon Remand, the parties' respective supplemental submissions, and the record below, it appears to the Court that:

(1) On November 15, 2001, we remanded this appeal to the Superior Court for a factfinding hearing to determine if the appellant, Freeman Corbin, is legally entitled to credit for time previously served on his sentence. After holding a hearing, the Superior Court issued an order modifying Corbin's

sentence to provide him with a total of 22 months and 11 days credit for time served.

(2) Neither the State nor Corbin challenge the Superior Court's sentence modification. Nonetheless, in his supplemental submission, Corbin continues to allege that the Superior Court improperly sentenced him on December 7, 2000. We have reviewed the record carefully and find no merit to Corbin's contention. The Superior Court properly rejected Corbin's contention on the ground that the Superior Court, in sentencing Corbin for a violation of probation, could reimpose any sentence that might originally have been imposed. Accordingly, we find this matter should be affirmed on the basis of the Superior Court's well-reasoned decision on remand dated December 19, 2001.

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

BY THE COURT:

/s/ E. Norman Veasey
Chief Justice