

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GABRIEL G. ATAMIAN,	§
	§ No. 354, 2005
Plaintiff Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for Kent County
ANTHONYW.VATTILANA, DDS,	§ C.A. No. 04C-03-024
	§
Defendant Below-	§
Appellee.	§

Submitted: October 24, 2005
Decided: December 23, 2005

Before **STEELE**, Chief Justice, **HOLLAND** and **JACOBS**, Justices

ORDER

This 23rd day of December 2005, 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 September 7, 2005. We also find no error on the part of the Superior Court in denying the appellant's motion for summary judgment, in denying his requests for declaratory judgment and in denying his motion for additional discovery.

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/ Myron T. Steele
Chief Justice