IN THE SUPREME COURT OF THE STATE OF DELAWARE

§	No. 267, 2003
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§	Court Below: Superior Court
§	of the State of Delaware
§	in and for Sussex County
§	C.A. No. 02A-06-003
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Submitted: October 7, 2003 Decided: October 28, 2003

Before VEASEY, Chief Justice, BERGER and JACOBS, Justices.

<u>O R D E R</u>

This 28th day of October, 2003, the Court, having considered this matter on the

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 orders dated December 9, 2002 and April 24, 2003,

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the

Superior Court be, and the same hereby is

AFFIRMED.

Appellant's request for oral argument is hereby DENIED.

BY THE COURT:

<u>/s/ Carolyn Berger</u> Justice