

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHN M. KEARNEY,	§
	§ No. 159, 2005
Appellant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
COASTAL ZONE INDUSTRIAL	§ C.A. No. 03A-11-008
CONTROLBOARD,DEPARTMENT	§
OF NATURAL RESOURCES AND	§
ENVIRONMENTAL CONTROL,	§
and E.I. DUPONT DE NEMOURS	§
AND CO.,	§
	§
Appellees Below-	§
Appellees.	§

Submitted: January 13, 2006
Decided: March 9, 2006

Before **HOLLAND, JACOBS** and **RIDGELY**, Justices.

ORDER

This 9th day of March 2006, upon consideration of the parties' briefs and the record below, it appears to the Court that the judgment of the Superior Court should be affirmed on the basis of and for the reasons set forth in its well-reasoned decision dated March 18, 2005.

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

BY THE COURT:

/s/ Jack B. Jacobs
Justice