

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MIGUEL A. BUSTOS,

Appellant Below,
Appellant,

v.

CASTLE CONSTRUCTION OF
DELAWARE,

Appellee Below,
Appellee.

§

§ No. 428, 2005

§

§ Court Below – Superior Court
§ of the State of Delaware,

§ in and for New Castle County

§ C.A. No. 04A-12-007

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Submitted: March 8, 2006

Decided: March 9, 2006

Revised: March 14, 2006

Before **STEELE**, Chief Justice, **HOLLAND, BERGER, JACOBS** and **RIDGELY**, Justices, constituting the Court *en Banc*.

This 14th day of March 2006, the Court having considered this matter after oral argument and on the briefs filed by the parties has determined that the final judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its well-reasoned decision dated August 31, 2005.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court be, and the same hereby is, AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland

Justice

