

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHN A. ZICKGRAF,)
) No. 478, 2005
 Defendant Below,)
 Appellant,) Court Below: Superior Court
 v.) of the State of Delaware in
) and for New Castle County
)
 STATE OF DELAWARE,) Cr. ID No. 0412009298
)
 Plaintiff Below,)
 Appellee.)

Submitted: March 29, 2006

Decided: April 10 2006

Before **STEELE**, Chief Justice, **HOLLAND**, and **BERGER**, Justices.

ORDER

This 10th day of April, 2006, upon consideration of the briefs of the parties, and given our standard of review 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 Orders dated August 19, 2005 and October 3, 2005.

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

BY THE COURT:

/s/ Myron T. Steele
Chief Justice