

IN THE SUPREME COURT OF THE STATE OF DELAWARE

THOMAS L. MOORE,	§
	§
Defendant Below-	§ No. 519, 2001
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ Cr. ID 9902006667
Plaintiff Below-	§
Appellee.	§

Submitted: June 19, 2002
Decided: July 16, 2002

Before **VEASEY**, Chief Justice, **WALSH**, and **STEELE**, Justices.

ORDER

This 16th day of July 2002, we have carefully considered appellant Thomas Moore's opening brief and the State's motion to affirm. We find it manifest on the face of the opening brief that the appeal is without merit because the issue on appeal is clearly controlled by a prior decision of the Court in this case.* In appeal No. 285, 2001, we held, among other things, that the Superior Court's sentence for Moore's second violation of probation properly credited Moore with all time previously served at Level V. Moore is not entitled to any additional credit. That ruling is the law of the case. Accordingly, the Superior Court's decision denying Moore's latest motion for reduction of sentence is controlled by settled law.

NOW, THEREFORE, IT IS ORDERED that the State's motion to affirm is GRANTED. The judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Myron T. Steele
Justice

* *Moore v. State*, Del. Supr., No. 285, 2001, Walsh, J. (Jan. 9, 2002).