

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RAPHAEL F. NEVINS,	§
	§ No. 60, 2006
Plaintiff Below-	§
Appellant,	§
	§
v.	§
	§
GEORGE BRYAN, DEAN	§ Court Below—Superior Court
WHITLA, WILLIAM SCHULER,	§ of the State of Delaware,
CAROLYN TINKER, VICKI	§ in and for Sussex County
IRVING, and THE CENTER FOR	§ C.A. No. 05C-07-041
THE ADVANCEMENT OF	§
DISTANCE EDUCATION IN	§
RURAL AMERICA, a corporation,	§
	§
Defendants Below-	§
Appellees.	§

Submitted: March 27, 2006

Decided: May 18, 2006

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

ORDER

This 18th day of May 2006, upon consideration of the appellant’s opening brief and the appellee’s motion to affirm, the Court finds it manifest on the face of the opening brief that the appeal is without merit under Supreme Court Rule 25(a). The Superior Court did not err in dismissing Nevins’ complaint for failure to state a claim for malicious prosecution. Accordingly, we conclude that the judgment below should be affirmed on the basis of, and for the reasons stated in, the Superior Court’s decision

dated September 8, 2005 and its order denying reargument dated January 5, 2006.

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

BY THE COURT:

/s/ Myron T. Steele
Chief Justice