

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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|-------------------|------------------------------|
| MAAHIR ISMAAEEL, | § |
| | § No. 570, 2005 |
| Defendant Below- | § |
| Appellant, | § |
| | § Court Below—Superior Court |
| v. | § of the State of Delaware |
| | § in and for Sussex County |
| STATE OF DELAWARE | § Cr. ID No. 0304002130 |
| | § |
| Plaintiff Below- | § |
| Appellee. | § |

Submitted: March 31, 2006

Decided: June 12, 2006

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

ORDER

This 12th day of June 2006, upon consideration of the briefs of the parties 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 decision dated October 28, 2005. We find no error or abuse of discretion on the part of the Superior Court in any respect.

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

BY THE COURT:

/s/ Myron T. Steele
Chief Justice