

IN THE SUPREME COURT OF THE STATE OF DELAWARE

HILLARD WINN,	§
	§
Defendant Below-	§ No. 507, 2002
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr.A. No. IN90-11-0564
	§ Cr. ID 30009092DI
Plaintiff Below-	§
Appellee.	§

Submitted: September 13, 2002
Decided: September 19, 2002

Before **WALSH, HOLLAND**, and **BERGER**, Justices.

ORDER

This 19th day of September 2002, upon consideration of the State’s motion to affirm, the Court finds it manifest on the face of the appellant’s opening brief that this matter should be affirmed on the basis of, and for the reasons set forth in, the Superior Court’s well-reasoned decision dated August 19, 2002. The Superior Court was entirely correct in holding that the appellant’s sentence for Robbery in the First Degree, which imposed a ten year period of incarceration followed by six years of decreasing levels of probation, comported with the requirements of 11 *Del. C.* § 4204(1). The appellant’s contention that the Superior Court was required to impose a period of supervision at Level IV is incorrect as a matter of law. The

Superior Court therefore did not err in denying the appellant's motion for correction of sentence.

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

BY THE COURT:

/s/ Randy J. Holland
Justice