

IN THE SUPREME COURT OF THE STATE OF DELAWARE

GARY RILEY,	§	No. 103, 1999
	§	
Defendant Below,	§	Court Below: Superior Court
Appellant,	§	of the State of Delaware in
	§	and for New Castle County
v.	§	
	§	I.D. No. 9705008339
STATE OF DELAWARE,	§	
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: January 11, 2000  
Decided: February 25, 2000

Before **VEASEY**, Chief Justice, **HOLLAND** and **HARTNETT**, Justices.

**ORDER**

This 25<sup>th</sup> day of February 2000, the Court, having carefully considered the decision of the Superior Court dated December 11, 1997, and the judgment of the Superior Court dated February 12, 1999, the briefs of the parties and their contentions in oral argument, has determined as follows.

To the extent that: (a) the issues raised on appeal are factual, the record evidence supports the trial judge's factual findings; (b) the errors alleged on appeal are attributed to an abuse of discretion, the record does not support

those assertions; (c) the issues raised on appeal are legal, they are controlled by settled Delaware law, which was properly applied.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court be, and the same hereby is,

**AFFIRMED.**

BY THE COURT:

/s/ E. Norman Veasey  
Chief Justice