

DELAWARE DEPT. OF
NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL,
and DAVID S. SMALL,

V.

Plaintiffs-Below,
Appellees.

C.A. No. S13C-08-026

Decided: April 15, 2016

ORDER

This 15th day of April, 2016, after careful consideration of the parties' briefs and the record on appeal, we find it evident that the judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its October 7, 2015 Memorandum Decision.

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

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Justice