

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DAVID COLES a/k/a DAVID	§
HOLLOMAN,	§
	§ No. 261, 2016
Defendant Below-	§
Appellant,	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware
	§
STATE OF DELAWARE,	§ Cr. ID 0301011099
	§
Plaintiff Below-	§
Appellee.	

Submitted: July 13, 2016
Decided: September 1, 2016

Before **STRINE**, Chief Justice; **HOLLAND** and **VALIHURA**, Justices.

ORDER

This 1st day of September 2016, after consideration of the appellant’s opening brief, the State’s motion to affirm, and the record on appeal, we find it clear that the judgment below should be affirmed on the basis of, and for the reasons stated in, the Superior Court’s well-reasoned decision dated May 10, 2016. The Superior Court did not err in denying the appellant’s motion for correction of illegal sentence because the ten-year prison sentence imposed by the Superior Court for the appellant’s conviction for Possession

of a Firearm During the Commission of a Felony was within the statutorily-authorized limits and was otherwise legal.¹

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

BY THE COURT:


Justice

¹ To the extent the Superior Court's May 10, 2016 order also denied the appellant's motion for modification of sentence, the appellant waived any challenge to that ruling by failing to raise the issue in his opening brief on appeal. *Murphy v. State*, 632 A.2d 1150, 1152 (Del. 1993).