

he contended, he should be resentenced under 11 *Del. C.* § 4205(b)(1), which is the sentencing statute for Class A felonies. The Superior Court rejected the appellant's contentions and sentenced him to life imprisonment without benefit of probation or parole or any other reduction. The appellant's contentions have no merit. The judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its Memorandum Opinion dated February 10, 2017 rejecting the same contentions made by the appellant's co-defendant, Ralph Swan.³

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

BY THE COURT:

/s/ James T. Vaughn, Jr.
Justice

³ The answer to Question Five in the *per curiam* opinion in *Rauf* applied to severability of the procedures leading to the death penalty. It had no effect upon 11 *Del. C.* § 4209(d)(2). *Powell v. State*, 153 A.3d 69 (Del. 2016); *Phillips v. State*, 154 A.3d 1130 (Del. 2017); *State v. Reyes*, 155 A.3d 331 (Del. 2017).