

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DONICHA MCCANN-CROSS,

Appellant Below,
Appellant,

V.

DEPARTMENT OF HEALTH AND
SOCIAL SERVICES AUDIT AND
RECOVERY MANAGEMENT
SERVICES,

Appellee Below,
Appellee.

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No. 227, 2025

Court Below—Superior Court of
the State of Delaware

C.A. No. K24A-10-001

Submitted: October 24, 2025

Decided: January 7, 2026

Before **SEITZ**, Chief Justice; **VALIHURA** and **GRIFFITHS**, Justices.

ORDER

After careful consideration of the parties' briefs and the record on appeal, we find it evident that the Department of Health and Social Services' decision finding that the appellant owed \$2,341.00 for food benefit overpayments should be affirmed for the reasons stated in the Superior Court's order dated April 22, 2025. The appellant did not make any arguments in her opening brief regarding the non-attorney investigator's appearance on behalf of the Department of Health and Social

Services at the administrative hearing and has therefore waived consideration of that claim.¹

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

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Chief Justice

¹ Supr. Ct. R. 14(b)(vi)(A)(3); *Murphy v. State*, 632 A.2d 1150, 1152 (Del. 1993).