

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DANNY L. BENNETT,)
) No. 230, 2004
Petitioner Below,)
Appellant,) Court Below: Family Court
) of the State of Delaware in
v.) and for New Castle County
)
SHEILA E. BENNETT,) Petition No. 02-38018
)
Respondent Below,)
Appellee.)

Submitted: January 12, 2005

Decided: January 19, 2005

Before **STEELE**, Chief Justice, **HOLLAND**, and **JACOBS**, Justices.

ORDER

This 19th day of January 2005, the Court, having carefully considered the decision and judgment of the Family Court in its orders dated February 10, 2004, March 12, 2004, and April 29, 2004 together with 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 Family Court is **AFFIRMED**.

BY THE COURT:

/s/ Myron T. Steele
Chief Justice