

IN THE SUPREME COURT OF THE STATE OF DELAWARE

NEON OYSTER, LLC,	§
	§
Plaintiff Below,	§
Appellant,	§ No. 433, 2002
	§
v.	§ Court Below: Superior Court
	§ of the State of Delaware in and
THE CITY OF REHOBOTH	§ for Sussex County
BEACH ACTING BY AND	§ C.A. No. 01A-09-003
THROUGH THE CITY OF	§
REHOBOTH BEACH BUILDING	§
AND LICENSING DEPARTMENT	§
AND THE CITY OF REHOBOTH	§
BEACH BOARD OF	§
ADJUSTMENT,	§
	§
Defendants Below,	§
Appellees.	§

Submitted: January 14, 2003
Decided: January 17, 2003

Before WALSH, HOLLAND and BERGER, Justices.

ORDER

This 17th day of January 2003, upon consideration of the briefs of the parties, we conclude that this appeal should be affirmed on the basis of the well reasoned decision of the Superior Court dated June 27, 2002.

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

AFFIRMED.

BY THE COURT:

s/ Joseph T. Walsh
Justice