

IN THE SUPREME COURT OF THE STATE OF DELAWARE

XARIA XING, <sup>1</sup>	§	
	§	No. 304, 2008
Petitioner Below,	§	
Appellant,	§	Court Below—Family Court
	§	of the State of Delaware in and
v.	§	for New Castle County
	§	
THOMAS SMITH,	§	
	§	File No. CN02-10363
Respondent Below,	§	Pet. No. 08-10726
Appellee.	§	

Submitted: November 21, 2008

Decided: January 30, 2009

Before **HOLLAND, BERGER** and **JACOBS**, Justices.

**ORDER**

This 30<sup>th</sup> day of January 2009, the Court has considered this appeal on the basis of the appellant's opening brief and the Family Court record.<sup>2</sup> We conclude that this matter should be affirmed on the basis of and for the reasons stated in the Family Court's decision dated May 27, 2008.

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

BY THE COURT:

/s/ Carolyn Berger  
Justice

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<sup>1</sup> By Order dated June 19, 2008, the Court *sua sponte* assigned pseudonyms to the parties. Del. Supr. Ct. R. 7(d).

<sup>2</sup> The appellee did not file an answering brief. The parties were informed that this matter would be decided on the basis of the opening brief and the Family Court record.