

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

CHRISTIANA TOWN CENTER, LLC)
a Delaware limited liability company)

Plaintiff,)

v.)

C.A. No: 03A-04-007 RSG

NEW CASTLE COUNTY, a political)
subdivision of the State of Delaware,)
NEW CASTLE COUNTY BOARD OF)
LICENSE, INSPECTION & REVIEW,)
and NEW CASTLE COUNTY)
DEPARTMENT OF LAND USE)

Defendants.)

Submitted: April 22, 2003
Decided: April 22, 2003

Richard L. Abbott, Esquire, The Bayard Firm, Wilmington, Delaware, for Plaintiff.
Scott G. Wilcox, Esquire, New Castle County Government Center, New Castle, Delaware, for Defendants.

ORDER

Gebelein, J.

AND NOW, this 22nd day of April, 2003, Plaintiff having moved this Court for an Order confirming the stay of the effectiveness of the Decision below pursuant to the issuance of the Writ of *Certiorari* in this action, and it appearing that the issuance of the common law Writ of *Certiorari* constitutes a supersedeas or stay of the effectiveness of the Decision below, absent statutory language to the contrary (*See e.g.* 9 DEL. CODE ANN. tit. 9, § 1353(c) (1989)).

IT IS ORDERED that the Motion is GRANTED, and the effectiveness of the Decision issued by the Defendants which is on review pursuant to this *Certiorari* proceeding is hereby deemed to be STAYED.

The Honorable Richard S. Gebelein

Orig: Prothonotary
cc: Richard L. Abbott, Esquire, Wilmington, Delaware.
Scott G. Wilcox, Esquire, New Castle, Delaware.