

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**

TORI LYNN CORDOVA, )  
 )  
 Plaintiff, )  
 )  
 ) C.A. No. N22C-04-086 MMJ  
 )  
 JOEL MAEGO KIAGE and EMMA )  
 LOGISTICS, LLC, )  
 )  
 Defendants. )

**ORDER**

Submitted: January 12, 2024

Decided: January 22, 2024

On Prime Insurance Company’s Application for  
Certification of Interlocutory Appeal

**DENIED**

1. On December 18, 2023, the Court denied Prime Insurance Company’s Motion to Intervene.
2. On January 2, 2024, Prime filed an Application for Certification of Interlocutory Appeal.
3. Supreme Court Rule 42(c)(i) provides that an application for certification of interlocutory appeal “shall be served and filed within 10 days of the entry of the order from which the appeal is sought, or such longer time as the trial court, in its discretion, may order for good cause shown.”

4. Plaintiff's Opposition to the Application for Certification of Interlocutory Appeal of Prime Insurance Company was filed on January 12, 2024.

5. Rule 42(a) provides: "All time periods under this rule should be calculated under Supreme Court Rule 11."

6. Supreme Court Rule 11 states: "When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays and other legal holidays shall be excluded in the computation." The relevant period of time for filing an application is 10 days. Therefore, exclusion of intermediate days does not apply.

7. Strict compliance with Rule 42 is required by the Supreme Court. *Julian v. State*, 440 A.2d 990, 991 (Del. 1982).

8. Prime's Application was filed 15 days after this Court's December 18, 2023 ruling.

**THEREFORE**, the Court finds that Prime Insurance Company's Application for Certification of Interlocutory Appeal is hereby **DENIED AS UNTIMELY**. The Court further finds that Prime has failed to demonstrate good cause for its untimely filing.

**SO ORDERED**

*Mary M. Johnston*

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Judge Mary M. Johnston