

**SUPERIOR COURT
OF THE STATE OF DELAWARE**

FRED S. SILVERMAN
JUDGE

NEW CASTLE COUNTY COURTHOUSE
500 N. KING STREET, SUITE 10400
WILMINGTON, DELAWARE 19801
(302) 255-0669

Submitted: July 15, 2005
Decided: August 30, 2005

Mr. Roland Anderson
113 Lloyd Street
Wilmington, DE 19804

Re: Anderson v. Silicki, C.A. No. 02C-04-153-FSS

Dear Mr. Anderson:

This decides your motion for reargument, which followed the court's denial of your request for a free transcript. Initially, the court denied the request for lack of subject matter jurisdiction. Your case is on appeal. The basis for the court's initial decision was incorrect. The court has jurisdiction to order a transcript.¹ Nevertheless, you have not justified the court's forcing the public to pay for a transcript at your request.

This is civil case. You sued Ms. Silicki after she caused a collision in which you were injured. At your trial, you were represented by experienced counsel. The jury found in your favor, but it only awarded you nominal damages, \$100. Your trial attorney then moved for costs and for additur or a new trial. The motion for costs was granted, but the motion for additur or a new trial was denied. You filed an appeal, without counsel.

¹ Supreme Court Rule 9(i).

Although you are indigent, you do not have an absolute right to a transcript at the public's expense. Here, you are seeking money damages from a private individual. A jury heard your evidence and decided that although Ms. Silicki's negligence proximately caused some injury to you, the harm was slight. The jury obviously did not think your chiropractic treatment was justified. The trial judge, apparently, was equally unimpressed with your claim.

If you wish to keep pursuing this matter, hoping that Ms. Silicki will eventually have to pay you more money, that is your choice. This court, however, sees no reason to require taxpayers to underwrite your continuing efforts. Of course, you are free to raise this decision as part of your pending appeal.

For the foregoing reasons, your motion for reargument is **DENIED**.

IT IS SO ORDERED.

Very truly yours,

FSS/lah

oc: Prothonotary

pc: L. Vincent Ramunno, Esquire

Sean A. Dolan, Esquire