

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ASHLEY ADAMS,	§	
	§	No. 341, 2009
Plaintiff Below,	§	
Appellant,	§	Court Below—Superior Court
	§	of the State of Delaware in and
v.	§	for New Castle County
	§	
YAW AIDOO and NINETTE	§	
AIDOO,	§	
	§	
Defendants Below,	§	C.A. No. 07C-11-177
Appellees.	§	

Submitted: June 23, 2009

Decided: June 29, 2009

Before **STEELE**, Chief Justice, **JACOBS** and **RIDGELY**, Justices.

ORDER

This 29th day of June 2009, it appears to the Court that:

(1) Plaintiff-appellant has petitioned this Court, pursuant to Supreme Court Rule 42 (“Rule 42”), to appeal from the Superior Court’s interlocutory bench ruling of May 15, 2009¹ that granted defendants-appellees’ motion to dismiss.² By opinion and order dated May 18, 2009, the Superior Court granted plaintiff-appellant’s application for certification of an interlocutory appeal.

¹ Plaintiff-appellant purports to seek review of an interlocutory order entered on June 9, 2009; however, the Superior Court docket does not reflect that any order, interlocutory or otherwise, was entered on that date.

² The dismissal of plaintiff-appellant’s complaint is an interlocutory ruling because it was not certified as a final judgment pursuant to Superior Court Civil Rule 54(b) and defendants-appellees’ counterclaims remain undecided. *Harrison v. Ramunno*, 730 A.2d 653 (Del. 1999).

(2) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in exceptional circumstances.³ In the exercise of its discretion, the Court has concluded that exceptional circumstances as would merit interlocutory review of the Superior Court's May 15, 2009 bench ruling do not exist in this case.

NOW, THEREFORE, IT IS HEREBY ORDERED that the interlocutory appeal is REFUSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice

³ Del. Supr. Ct. R. 42(b), (d)(v).