

IN THE SUPREME COURT OF THE STATE OF DELAWARE

BRISTOW HELICOPTERS, INC.,	§	
	§	No. 124, 2013
Defendant Below,	§	
Appellant,	§	Court Below–Superior Court of
	§	the State of Delaware in and for
v.	§	New Castle County
	§	
MARIA ALMA GUTIERREZ,	§	C.A. No. N12C-05-008
individually, and as Representative	§	(CONSOLIDATED)
of the Estate of Jonathan Gutierrez	§	
(deceased),	§	
	§	
Plaintiff Below,	§	
Appellee.	§	

Submitted: March 26, 2013

Decided: March 28, 2013

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

**O R D E R**

This 28<sup>th</sup> day of March 2013, upon consideration of the notice and supplemental notice of interlocutory appeal, it appears to the Court that:

(1) On March 18, 2013, defendant/appellant, Bristow Helicopters, Inc. (hereinafter “Bristow”), petitioned this Court pursuant to Supreme Court Rule 42 to accept an interlocutory appeal from the Superior Court’s order of February 20, 2013 that denied Bristow’s motion to reopen under Superior Court Civil Rule 60(b). By order dated March 19, 2013, the Superior Court denied Bristow’s application for certification.

(2) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in exceptional circumstances. Having examined the transcript of the February 19, 2013 hearing held on Bristow's motion to reopen, the February 20, 2013 order denying the motion to reopen, the underlying November 30, 2012 opinion denying Bristow's motion to dismiss for *forum non conveniens*, and the criteria set forth in Supreme Court Rule 42, we have concluded that exceptional circumstances meriting interlocutory review 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