

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LOISANN E. DEBENEDICTIS, as	§
Administrator for the Estate of BESSIE	§
MCKINNEY,	§ No. 233, 2014
	§
Plaintiff Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
DELAWARE AUTHORITY FOR	§ C.A. No. N12C-10-037
REGIONAL TRANSIT,	§
	§
Defendant Below-	§
Appellee.	§

Submitted: May 29, 2014

Decided: June 5, 2014

Before **STRINE**, Chief Justice, **BERGER**, and **RIDGELY**, Justices.

**ORDER**

This 5<sup>th</sup> day of June 2014, it appears to the Court that:

(1) The plaintiff-appellant, Loisann Debenedictis, has petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from an interlocutory order of the Superior Court dated April 7, 2014. The trial court's order denied the plaintiff's motion to amend her complaint to add four additional plaintiffs, who had never been previously been identified during discovery, and to add a new wrongful death claim. The deadline to amend the complaint had passed

more than a year before the motion to amend was filed, and the statute of limitations on the wrongful death claim had expired.

(2) The plaintiff was granted an extension of time and filed her application for certification to take an interlocutory appeal in the Superior Court on May 7, 2014. The Superior Court denied the certification application on May 19, 2014.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court. In the exercise of its discretion, this Court has concluded that the application for interlocutory review does not meet the requirements of Supreme Court Rule 42(b) and should be refused.

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

BY THE COURT:

/s/ Henry duPont Ridgely  
Justice