

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JACK W. LAWSON and MARY	§	
ANN LAWSON,	§	No. 376, 2014
	§	
Plaintiffs Below,	§	Court Below: Superior Court
Appellants,	§	of the State of Delaware in and
	§	for New Castle County
v.	§	
	§	C.A. No. N14C-01-020
SHAILEN P. BHATT,	§	
	§	
Defendant Below,	§	
Appellee.	§	

Submitted: July 18, 2014

Decided: July 31, 2014

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

**ORDER**

This 31<sup>st</sup> day of July 2014, upon consideration of the notice and supplemental notice of interlocutory appeal, it appears to the Court that:

(1) On January 14, 2014, the plaintiffs/appellants, Jack W. Lawson and Mary Ann Lawson (hereinafter “the Lawsons”), filed a two-count amended complaint in the Superior Court. On February 20, 2014, defendant/appellee Shailen P. Bhatt, Secretary of the Delaware Department of Transportation, (hereinafter “Bhatt”) moved to dismiss or, in the alternative, to stay Count II of the complaint. By order dated June 11, 2014,

the Superior Court denied Bhatt's motion to dismiss and granted the alternative motion to stay Count II.<sup>1</sup>

(2) The Lawsons have petitioned this Court under Supreme Court Rule 42 to accept an interlocutory appeal from the Superior Court's order of June 11, 2014. By order dated July 14, 2014, the Superior Court denied the Lawsons' application for certification of the interlocutory appeal.<sup>2</sup>

(3) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in exceptional circumstances.<sup>3</sup> In this case, the Court has examined the Superior Court's June 11, 2014 order according to the criteria set forth in Rule 42 and has 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/ Randy J. Holland  
Justice

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<sup>1</sup> *Lawson v. State*, 2014 WL 2599952 (Del. Super. June 11, 2014).

<sup>2</sup> *Lawson v. State*, 2014 WL 3530835 (Del. Super. July 14, 2014).

<sup>3</sup> Del. Supr. Ct. R. 42(b).