

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MATTHEW JONES,	§
	§ No. 543, 2019
Plaintiff Below,	§
Appellant,	§
	§
v.	§ Court Below–Superior Court
	§ of the State of Delaware
DR. DAVID KALKSTEIN and	§
ROCKFORD CENTER,	§ C.A. No. K19C-11-030
	§
Defendants Below,	§
Appellees.	§
	§

Submitted: April 17, 2020

Decided: June 10, 2020

Before **SEITZ**, Chief Justice; **VALIHURA** and **VAUGHN**, Justices.

**ORDER**

After careful consideration of the parties’ briefs and the record on appeal, we conclude that the judgment below should be affirmed on the basis of, and for the reasons set forth in, the Superior Court’s well-reasoned decision dated November 21, 2019. Although we affirm the Superior Court’s judgment as well as its imposition of a monetary sanction against the appellant,<sup>1</sup> we decline the appellees’ request to impose any additional sanction. Because the Superior Court dismissed

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<sup>1</sup> The court found that the appellant’s affidavit submitted under 10 *Del. C.* § 8803(e) was misleading. Accordingly, the court held the appellant in contempt of court and imposed a \$100.00 sanction.

the appellant's complaint under 10 *Del. C.* § 8803(b), service did not issue and the appellees were not required to answer the complaint or otherwise appear in the Superior Court. We conclude that the appellees' participation in this appeal does not, in and of itself, warrant the imposition of any additional sanction.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/Karen L. Valihura  
Justice