

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JOHNNIE HAINES,	§
	§
Appellee Below-	§ No. 169, 2001
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
JOHNSON CONTROLS, INC.,	§ C.A. No. 00A-08-003
	§
Appellant Below-	§
Appellee.	§

Submitted: April 30, 2001

Decided: May 4, 2001

Before **VEASEY**, Chief Justice, **WALSH**, and **HOLLAND**, Justices.

ORDER

This 4th day of May 2001, it appears to the Court that:

(1) The appellant below, Johnnie Haines, has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from an interlocutory order of the Superior Court dated March 26, 2001. The Superior Court's order granted Haines' motion to dismiss in part but remanded the matter back to the Industrial Accident Board for further proceedings.

(2) On April 3, 2001, the Superior Court refused to certify an interlocutory appeal to this Court.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in extraordinary cases.

(4) 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 is REFUSED.

BY THE COURT:

/s/ E. Norman Veasey
Chief Justice