

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MARITA HALKO, individually and	§	
as guardian ad litem of her minor,	§	
son, KARL T. HALKO, and KARL	§	
T. HALKO, individually,	§	
	§	No. 410, 2001
Defendant Below-	§	
Appellant,	§	Court Below—Superior Court
	§	of the State of Delaware, in
v.	§	and for New Castle County
	§	C.A. No. 99C-01-213
LINDA K. COBB, as guardian ad	§	
litem for her minor daughter	§	
JACLYN K. COBB,	§	
	§	
Plaintiff Below-	§	
Appellee.	§	

Submitted: September 6, 2001
Decided: September 13, 2001

Before **WALSH**, **BERGER** and **STEELE**, Justices.

ORDER

This 13th day of August 2001, it appears to the Court that:

(1) The defendants below, Marita Halko and Karlo Halko, have petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from an interlocutory ruling of the Superior Court issued August 3, 2001. The Superior Court's ruling denied the defendants' motion for summary judgment. The defendants had argued that the plaintiff's claim was barred by the applicable statute of limitations.

(2) On September 4, 2001, the Superior Court denied the defendants' application 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 ORDERED that the within interlocutory appeal is REFUSED.

BY THE COURT:

Myron T. Steele
Justice