

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ARTESIAN WATER COMPANY, INC.,	§ § § No. 545, 2002
Defendant Below- Appellant,	§ §
v.	§ Court Below—Superior Court § of the State of Delaware, § in and for New Castle County
FRANKLIN D. LLOYD,	§ C.A. No. 01C-02-231 §
Plaintiff Below- Appellee.	§ §

Submitted: October 4, 2002
Decided: October 15, 2002

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

ORDER

This 15th day of October 2002, it appears to the Court that:

(1) The defendant below, Artesian Water Company, Inc. (Artesian), has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from an interlocutory ruling of the Superior Court dated August 29, 2002. The Superior Court's ruling denied Artesian's motion for summary judgment.

(2) On October 3, 2002, the Superior Court denied Artesian's 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 HEREBY ORDERED that the within interlocutory appeal is REFUSED.

BY THE COURT:

/s/ Randy J. Holland
Justice