

IN THE SUPREME COURT OF THE STATE OF DELAWARE

NATIONWIDE PROPERTY &	§
CASUALTY INSURANCE CO.,	§
	§ No. 142, 2004
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
NADINE KENT,	§ C.A. No. 02C-12-094
	§
Plaintiff Below-	§
Appellee.	§

Submitted: April 23, 2004

Decided: April 30, 2004

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

**ORDER**

This 30<sup>th</sup> day of April 2004, it appears to the Court that:

(1) The defendant below, Nationwide Property & Casualty Insurance Co., has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from an interlocutory ruling of the Superior Court dated March 10, 2004. The Superior Court's March 10 ruling denied Nationwide's motion for summary judgment on plaintiff's claim for noneconomic damages arising from a New Jersey automobile accident. On April 6, 2004, the Superior Court denied Nationwide's motion for reargument.

(2) On April 21, 2004, the Superior Court denied Nationwide'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/ Carolyn Berger  
Justice