

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RICHARD A. THORPE,	§
	§
Petitioner Below-	§ No. 307, 2004
Appellant,	§
	§
v.	§ Court Below—Family Court
	§ of the State of Delaware,
ANTOINETTE D. THORPE,	§ in and for New Castle County
	§ File No. CN00-11009
Respondent Below-	§
Appellee.	§

Submitted: July 20, 2004
Decided: August 17, 2004

Before **STEELE**, Chief Justice, **HOLLAND**, and **JACOBS**, Justices.

ORDER

This 17th day of August 2004, it appears to the Court that:

(1) The petitioner below, Richard Thorpe, has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from an interlocutory ruling of the Family Court dated June 4, 2004. Among other things, the Family Court's ruling required Thorpe to submit to an independent medical examination in order to support his claim for alimony.

(2) On July 8, 2004, the Family Court denied Thorpe'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/ Myron T. Steele
Chief Justice