

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LIBERTY MUTUAL INSURANCE CO.,	§
	§
Appellant Below,	§ No. 507, 2012
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
JESUS SILVA-GARCIA and CITY	§ in and for New Castle County
WINDOW CLEANING OF	§ C.A. No. N12-03-003
DELAWARE, INC.,	§
	§
Appellees Below,	§
Appellees.	§

Submitted: September 13, 2012

Decided: September 26, 2012

Before **BERGER, JACOBS**, and **RIDGELY**, Justices.

ORDER

This 26th day of September 2012, it appears to the Court that:

(1) The appellant below, Liberty Mutual Insurance Company (“Liberty Mutual”), has petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from an interlocutory order of the Superior Court dated June 13, 2012, which dismissed Liberty Mutual’s appeal from an order of the Industrial Accident Board (“IAB”). The IAB held that insurance coverage existed on the date of the claimant’s industrial accident. The Superior Court held that Liberty Mutual’s appeal was interlocutory because the IAB has not yet rendered a final decision on the claimant’s petition for compensation due.

(2) Liberty Mutual filed an application for certification to take an interlocutory appeal on August 22, 2012. The Superior Court denied the certification application on September 5, 2012.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court. 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 be REFUSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice