

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LISA A. ACHTERMANN, individually	§
and as next friend of plaintiffs John M.	§
Achtermann, III, and Ty Achtermann,	§ No. 178, 2007
JOHN M. ACHTERMANN, JR., her	§
husband, individually and as next friend	§
of plaintiffs John M. Achtermann, III	§
and Ty Achtermann, JOHN M.	§
ACHTERMANN, III a minor and TY	§
ACHTERMANN, a minor,	§
	§
Plaintiffs Below-	§
Appellants,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
	§ in and for New Castle County
OSCAR WARRINGTON, III and	§ C.A. No. 05C-04-198
MARY WARRINGTON,	§
	§
Defendants Below-	§
Appellees.	§

Submitted: April 11, 2007

Decided: April 24, 2007

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

ORDER

This 24th day of April 2007, it appears to the Court that:

(1) The plaintiffs-appellants, the Achtermanns, have petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from an interlocutory order of the Superior Court dated March 22, 2007. The trial court's order granted the defendants-appellees' motion for summary judgment.

(2) The Achtermanns filed their application for certification to take an interlocutory appeal in the Superior Court on March 29, 2007. The Superior Court denied the certification application on April 10, 2007.

(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 is REFUSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice