

SUPERIOR COURT
OF THE
STATE OF DELAWARE

E. SCOTT BRADLEY
JUDGE

1 The Circle, Suite 2
GEORGETOWN, DE 19947

November 5, 2012

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RE: *Jessica Messick v. State Farm Mutual Automobile Insurance Company*
C.A. No. 11C-11-019

Dear Counsel:

This is my decision on the Plaintiff's Motion for Summary Judgment in this motor vehicle accident case where the Plaintiff is seeking insurance coverage from Defendant State Farm Mutual Automobile Insurance Company. After further briefing on the matter, the Plaintiff has conceded that the Personal Injury Protection statute¹ does not provide the coverage she seeks. The Uninsured Motorist statute² limits coverage to the insured and those others legally entitled to it. It does not provide for any more coverage than what is provided for in the State Farm insurance policy in question. State Farms's insurance policy with Kathy R. Lawson, who is the Plaintiff's boyfriend's mother, limits coverage under the uninsured portion to "the insured, a resident relative, and any other person while occupying the insured's car, a newly acquired car, or a temporary substitute car." The Plaintiff concedes that she does not fall within any of those categories. Therefore, I have denied the Plaintiff's Motion for Summary Judgment and dismissed her complaint with prejudice.

¹ 21 *Del.C.* § 2118.

² 18 *Del.C.* § 3902.

IT IS SO ORDERED.

Very truly yours,

/s/ E. Scott Bradley

E. Scott Bradley