

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR KENT COUNTY

GOLDEN CHARIOT MOTORS, LLC,	:	
	:	C.A. No: K14A-06-002 RBY
_____Appellant,	:	
	:	
v.	:	
	:	
DONEGAL MUTUAL INSURANCE	:	
COMPANY,	:	
	:	
Appellee.	:	

ORDER

The Court has, with substantial difficulty, reviewed the solecistically headed arguments of counsel. Despite confusingly configured arguments, this appeal presents the single question of whether or not the Common Pleas Court erroneously Ordered judgment in favor of Plaintiff following Plaintiff’s Motion for Default Judgment. The basis for that judgment was, as stated by the trial court: Defendants’ failure to appear for a pre-trial conference, after notice thereof had been given to Defendants.

Appellant elects to argue at length about whether or not Defendants should have been permitted to appear otherwise than through counsel. That is totally irrelevant. Defendants were, in fact, permitted. The argument that, somehow, the Court had a responsibility to save the Defendants against their own actions is meritless. This is not a criminal trial where a Court might, *sua sponte*, try to advise a defendant to heed the old chestnut that “a man who represents himself has a fool

Golden Chariot Motors, LLC v. Donegal Mutual Ins. Co.

C.A. No.: K14A-06-002 RBY

February 6, 2015

for a client.” This is a civil case where Defendants – rightly or wrongly, cleverly or obtusely – filed an answer, got notice of a pre-trial conference, and then failed to appear.

The actions of the trial court were well within the discretionary ambit of the Court’s maintenance of its scheduling calendar.

SO ORDERED this 6th day of February, 2015.

/s/ Robert B. Young
J. _____

RBY/lmc

oc: Prothonotary
cc: Tasha M. Stevens, Esq.
Daniel C. Kerrick, Esq.
File