## IN THE SUPREME COURT OF THE STATE OF DELAWARE

MARIE SMITH,	<b>§</b>
	§ No. 77, 2013
Plaintiff Below,	§
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
HARRY GREIF and HARRY'S	§ in and for New Castle County
TRANSPORT, INC., a foreign	§
corporation,	§ C.A. No. N11C-06-098
	§
Defendants Below,	§
Appellees.	<b>§</b>

Submitted: February 22, 2013 Decided: March 4, 2013

Before BERGER, JACOBS, and RIDGELY, Justices.

## ORDER

This 4<sup>th</sup> day of March 2013, it appears to the Court that:

- (1) The plaintiff-appellant, Marie Smith, has petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from an interlocutory order of the Superior Court, entered January 24, 2013, which denied plaintiff's motion to exclude the testimony of defendant's biomechanical expert at trial.
- (2) Plaintiff filed her application for certification to take an interlocutory appeal in the Superior Court on February 4, 2013. The Superior Court denied the certification application on February 21, 2013.

(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