IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR KENT COUNTY

NINA SHAHIN, CPA,)	
) C.A. No.	13C-08-008 JTV
Plaintiff,)	
)	
V.)	
)	
KENT GENERAL HOSPITAL,)	
)	
Defendant.)	
	~ 1 · 1	G 1	10.2012
Submitted:		September 19, 2013	
	Decided:	January 23	2. 2014

Nina Shahin, CPA., Pro Se.

Upon Consideration of Plaintiff's Motion for Relief Under Rule 60(b) **DENIED**

VAUGHN, President Judge

Shahin v. Kent General Hospital C.A. No. K13C-08-008 JTV January 23, 2014

ORDER

Upon consideration of plaintiff Nina Shahin, CPA's Motion For Relief Under Rule 60(b), it appears that:

- 1. The plaintiff seeks relief under Rule 60(b) from an order issued by the Court on August 9, 2013 denying her request to proceed *In Forma Pauperis*. The order denied her request to proceed *In Forma Pauperis* on the grounds that she had failed to disclose her husband's income and assets as required under 10 *Del C*. § 8802(b).
- 2. Under Superior Court Civil Rule 60(b) a judgment or order may be set aside by the trial court under specific circumstances or for "any other reason justifying relief from the operation of the judgment." Relief under Rule 60(b) is an extraordinary remedy that requires the movant to set out facts and circumstances that requires the Court to vacate a prior judgment.¹
 - 3. 10 Del. C. §8802(b) states, in pertinent part:

Before an individual shall be permitted to proceed . . . the individual must submit a sworn affidavit and shall provide complete information as to the affiant's identity, the nature, source and amount of all of the affiant's income, the affiant's spouse's income, all real and personal property owned by either individually or jointly, all cash or bank accounts held either individually or jointly, any dependents of the affiant and all debts and monthly expenses.

¹ City of Dover v. Hunter, 880 A.2d 239 (Del. Super. Feb. 27, 2004).

Shahin v. Kent General Hospital

C.A. No. K13C-08-008 JTV

January 23, 2014

4. The plaintiff continues to fail to meet the statute's requirement that she disclose her husband's income and assets. Her argument that he refuses to provide such information is not sufficient to excuse compliance with the statute.

5. Accordingly, Shahin's Motion for Relief from Judgment is *denied*.

IT IS SO ORDERED.

/s/ James T. Vaughn, Jr.

oc: Prothonotary

cc: Order Distribution

File